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House of Representatives

The House met at 9 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, bring the best possible resolve to work today for the common good of the people. As we anticipate the July 4 holiday, we ask Your blessing upon Your Nation and Your protection of our military forces. Provide safe travel and may peace await all at their final destination.

The American practice of coming together in prayer, relating faith to historic events and national celebrations has taught people with clashing creeds to stand united in religious tolerance and mutual respect. Perhaps, Lord, in doing so, America has been spared some of the religious conflicts that continue to afflict other places in the world.

So, Lord, on this forthcoming celebration of Independence Day, may we truly rejoice in our God-given right to freedom of religious expression. For in You, our God, we place our trust now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from South Dakota (Ms. HERSETH) come forward and lead the House in the Pledge of Allegiance.

Ms. HERSETH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 884. An act to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, and 326-K, and for other purposes.

H.R. 2751. An act to provide new human capital flexibilities with respect to the GAO, and for other purposes.

H.R. 4103. An act to extend and modify the trade benefits under the African Growth and Opportunity Act.

H.J. Res. 97. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The message also announced that the Senate has passed a bill and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 2322. An act to amend chapter 90 of title 5, United States Code, to include employees of the District of Columbia courts as participants in long term care insurance for Federal employees.

S. Con. Res. 83. Concurrent resolution promoting the establishment of a democracy caucus within the United States.

S. Con. Res. 120. Concurrent resolution providing for a conditional adjournment or recess of the Senate and the House of Representatives.

The message also announced that pursuant to section 7102(a)(ii) of Public Law 108-132, the Chair, on behalf of the Majority Leader, appoints the following individual to serve as a member of the Parents Advisory Council on Youth Drug Abuse:

Laurens Tullock of Tennessee.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 5 one-minute speeches per side.

HELPING DISADVANTAGED YOUTHS

(Mr. OSBORNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OSBORNE. Mr. Speaker, yesterday H.R. 4703 was introduced in response to a report issued by the White House Task Force for Disadvantaged Youth. The findings of the study are as follows:

Number one, 10 million American teens are plagued by poverty, abuse and neglect, academic failure and substance abuse.

Number two, the Federal Government has created 355 programs to serve youth in response to these deficits and afflictions. The result has been chaotic. Two-thirds of the programs evaluated by OMB were rated ineffective or redundant.

This bill would create a Federal Youth Development Council. The Council is charged with, number one, improving and coordinating youth-serving programs; number two, issuing an annual report on youth programs and their effectiveness; and, number three, setting quantifiable goals and developing a plan for each program.

This legislation will allow more children in need to be served more effectively. It is supported by an overwhelming majority of youth agencies. I urge support of H.R. 4703.

CARING FOR OUR VETERANS

(Ms. HERSETH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HERSETH. Mr. Speaker, Americans know that we have asked a great deal of our uniformed men and women over the life of this Republic in preserving liberty at home and fostering liberty abroad. We continue to ask for and receive tremendous sacrifices from

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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the members of our Armed Forces today.

As we do this, however, we must not forget that we are now creating a new generation of veterans. We must acknowledge our obligation to this generation of heroes who deserve what has been promised them, particularly in the areas of health care, disability compensation and educational opportunities.

Supporting our troops means, among other things, providing them with the resources to get the job done in the dangerous situations in which we have put them; but it also means ensuring that we know and understand our troops' needs when they return home and how to best meet those needs.

Over the next week, as we celebrate the anniversary of our independence, I will be traveling across South Dakota, meeting with the family members of troops whose National Guard and Reserve units have been deployed. I will listen to their stories and concerns, and I will share my commitment to them to respect and honor the sacrifices their loved ones are making. It is in this spirit that I commit to working with my colleagues to adequately acknowledge what is owed to our veterans and to provide it to them both today and in the decades to come.

HONORING ROLLAND B. "BOB" LYONS

(Mr. McCOTTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCOTTER. Mr. Speaker, on June 17 a friend to our community, Mr. Rolland B. "Bob" Lyons passed away following a courageous fight with cancer in which his courage never faltered or failed. Enduring and self-effacing, this entrepreneurial genius and civic leader, who used to like to call himself "just a ditch digger from Ann Arbor," was a truly unique character.

He had a massive toy collection. He created a reproduction of a 19th century hardware store in his office. And most of all, he liked to wear some of the most outrageous seersucker suits and bow ties that you would ever see, at least back home in Michigan.

Bob was probably one of the people in life that you would meet that you could not but befriend. I would like to extend my condolences to his family and to all who, in knowing Bob Lyons, could not but love him.

MEDICARE LOTTERY

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Mr. Speaker, yesterday it was reported that the pharmaceutical industries and HMO industries spent \$141 million with the prescription drug bill. With the Medicare bill, taxpayers will give HMOs an additional \$46

billion and they will give the pharmaceutical industry an additional \$139 billion.

Where else in America can you invest \$141 and get a \$185 billion return on your money? The GOP Congress, but of course.

By overpaying private insurance companies, denying the Secretary of Health and Human Services the ability to negotiate for lower prices and blocking the free market from working and allowing Americans to get safe, affordable drugs from Canada and Europe, the Medicare bill is everything the HMOs and pharmaceutical companies paid for and requested.

We are doing everything we can in this bill except the things that will actually lower prescription drug prices.

Yesterday the Bush administration announced that they will provide drug coverage to patients with some serious diseases, less than 10 percent of them though. They will decide which seriously ill individuals will get their Medicare coverage now by the lottery. There are 600,000 people eligible for medical coverage, but we are denying this coverage to 90 percent of them, cancer patients, people with multiple sclerosis, and arthritis. We can do better in lowering the prices of drugs than by lottery.

PROVIDING FOR CONSIDERATION OF H.R. 4614, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 694 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 694

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4614) making appropriations for energy and water development for the fiscal year ending September 30, 2005, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "Provided" on page 2, line 23, through page 3, line 5; sections 105, 106, 107, 108, 109, 110, and 311; beginning with "Provided" on page 39, line 23, through page 40, line 4; and section 502. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member of-

fering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

The resolution before the House today provides for consideration of the 2005 Energy and Water Development Appropriations bill under an open rule that provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking member of the Committee on Appropriations.

It waives all points of order against consideration of the bill, and under the rules of the House, the bill shall be considered for amendment by paragraph. The rule waives points of order against provisions in the bill as amended for failure to comply with clause 2 of rule XXI except as specified in the resolution.

It authorizes the chairman to accord priority in recognition to Members who have been preprinted their amendments in the CONGRESSIONAL RECORD, and finally it provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today to introduce the rule for H.R. 4614, the Energy and Water Development Appropriations Act of 2005. This legislation provides for a total of \$28 billion in new discretionary spending authority for the civil U.S. Army Corps of Engineers, the Department of Interior, the Department of Energy and several associated Independent Agencies.

I would like to thank my friend, the chairman, the gentleman from Ohio (Mr. HOBSON), for his leadership and vision in crafting this legislation and for striking a good balance between existing prudent fiscal restraint and funding our Nation's energy and water development priorities.

This bill increases funding for our Nation's energy and water priorities at \$734.5 million above 2004 levels, and \$49.6 million above the President's budget request, while ensuring that this money is spent wisely on programs that also reflect the needs and the core missions that its agencies find within their mission statements.

This legislation adequately funds the Corps of Engineers and concentrates its resources on helping to fulfill its traditional missions such as flood control, shoreline protection, navigation and

safety on our Nation's waterways. Over the last few years, the Corps has been given an increased workload to complete with an inadequate budget. This bill focuses on protecting our critical infrastructure and completing outstanding projects while prioritizing our Nation's infrastructure needs in a thoughtful and efficient way.

It provides funding needed to maintain, operate, and rehabilitate the Bureau of Reclamation projects throughout the western United States and protects the Federal investment in western water infrastructure. It also ensures that renewable energy programs are funded at \$343 million, \$1 million above the fiscal year 2004 amounts.

Under this legislation, the Department of Energy receives a total of \$22.48 billion, an increase of \$511 million over fiscal year 2004. As with the Corps, this legislation tasks the Department of Energy with beginning to prepare its 5-year budget plans, first for individual programs and then an integrated plan for the entire Department. This plan must include business plans for each of the DOE laboratories, so that Congress and the Department can understand the mission and resource needs of each laboratory to ensure that they can use their funding that is provided more efficiently.

Funding for the National Nuclear Security Administration is \$9 billion, an increase of \$372 million over fiscal year 2004 and a decrease of \$22 million from the budget request. The United States has in place a strategic plan to realign and modernize our nuclear arsenal, however, much of the DOE weapons complex is still sized to support a Cold War stockpile. The funding included in this bill will help NNSA to review its weapons complex in relation to the security needs, budget constraints and this new stockpiling plan while still providing adequate funding for its ongoing operations and needs.

Finally, this bill provides \$202 million for several independent agencies, including the Defense Nuclear Facilities Board, the Delta Regional Authority, the Nuclear Regulatory Commission and its Inspector General, the Nuclear Waste Technical Review Board, and the Office of Inspector General for the Tennessee Valley Authority.

Mr. Speaker, I am very proud of this legislative product, created by our Committee on Appropriations with input from many Members. It will help to fund our Nation's energy and water development needs.

I would also like to personally commend the gentleman from Ohio (Mr. HOBSON) for his hard work and vision in crafting this legislation. And I would also like to thank the chairman for his inclusion of level funding, that was important to this Member, for the Dallas Floodway Extension Project which is a cornerstone in Dallas, Texas, for our Trinity River Corridor Project.

This project will help Dallas to mitigate flood risks in over 12,500 structures in Dallas' central business dis-

trict and includes some 792 acres of land that are currently in a 100-year flood plain.

I support this project and this bill, and I urge my colleagues to do the same by supporting the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

□ 0915

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS) for yielding me the customary 30 minutes.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I am pleased to support the Energy and Water Appropriations bill, and I congratulate the chairman and the ranking member and the subcommittee Chair and the ranking member for their hard work and diligence in bringing this appropriations bill to the floor in a timely fashion.

Specifically, this bill provides a total of \$27.9 billion for the Department of the Army Corps of Engineers, the Interior Department's Bureau of Reclamation, the Department of Energy and a handful of independent agencies including the Nuclear Regulatory Commission.

I am especially pleased that this bill soundly rejects the administration's continuing efforts to dramatically reduce funding for the Civil Works program of the U.S. Army Corps of Engineers. The administration's fiscal year 2005 budget request for the Army Corps of Engineers was actually \$460 million less than the Corps received in fiscal year 2004 and \$578 million below what it received in fiscal year 2003. This is tantamount to a systematic attempt to cripple the Civil Works program.

As a Member with mainly inland waterways in my district, I value and appreciate the extraordinary work the Corps performs on behalf of the cities and towns we represent. In this bill, the committee has wisely given both the specific guidance and the sufficient resources the Corps needs to address the projects it is presently charged with completing.

Mr. Speaker, I also want to applaud the committee for plainly exposing the administration's funding scheme for the proposed nuclear waste repository at Yucca Mountain in Nevada. This project is riddled with scientific uncertainty and threatens millions of Americans, both in Nevada and in communities along the transportation routes. Notwithstanding the many health and safety concerns that should stop the Yucca Mountain project from going forward, OMB's attempt to use a budget gimmick to leverage \$749 million of the administration's \$880 million request is a cynical and shameless attempt to cook the books on the total budget deficit. By refusing to loosen the purse strings on funding for the

Yucca Mountain project, this appropriation bill rightly tells the administration to go sell stupid somewhere else.

I also want to commend the chairman and the committee for its actions on nuclear weapons development. The bill strips out funding for the Robust Nuclear Earth Penetrator weapons, also known as "bunker busters." I share the chairman's frustration that the Energy Department seems to be totally ignoring the restrictions Congress has placed on this research.

The bill also eliminates funding for the Advanced Concepts program to develop a new generation of nuclear weapons and zeros out the funding for siting a new Modern Pit Facility to manufacture new triggers for nuclear weapons.

In addition, the bill does not provide funds to move test readiness at the Nevada test facility up from 24 months to 18 months. Mr. Speaker, instead, the bill has placed emphasis on the consolidation of bomb material for greater safety and security and on the disassembly of surplus nuclear weapons.

On these matters, I believe the bill reflects realistic national security and budget priorities, and I commend the chairman and ranking member for their leadership.

Mr. Speaker, while I support this bill on the whole, I feel compelled to express my disappointment in the funding levels for renewable energy technologies. Just 2 weeks ago senior officials from the United States and 153 other nations met at a conference in Bonn, Germany, where they unanimously endorsed a communique committing to a substantial increase "with a sense of urgency" in the percentage of renewable sources to meet global energy needs.

Reportedly, the delegates of the conference did not set specific targets or timetables as a concession in order to get President Bush's administration on board. The President has said he favors the invisible hand of the free market over government regulation.

Sadly, this appropriations bill does not reflect the sense of urgency which is needed in increased funding for renewable energy sources. I can tell you that my constituents in Massachusetts, who are paying on average \$2.10 per gallon at the pump, do not have much faith that "the invisible hand" of the free market is going to show up any time soon and drive gas prices down either.

Mr. Speaker, this Nation cannot afford to wait any longer. We cannot afford to continue underfunding renewable energy and efficiency programs while our dependence on foreign sources of oil grows and our natural gas shortage worsens. We need to move with all deliberate speed to significantly increase funding for renewable sources of energy.

I have start-up fuel cell companies and established photovoltaic manufacturers in my district like Mechanology,

Protonex, Cell Tech Power and Evergreen Solar that are doing remarkable things, but they are struggling to compete with other countries who are leaving us behind in the race to a new energy economy because they cannot get the Federal funding support they need to continue research and development. And the invisible hand of the free market economy is not helping them out either.

Meanwhile, we spend our time here passing ill-conceived energy bills for a second time that grant \$23 billion in tax breaks and subsidies to the oil and gas industry. Surely, if we can do that, then we can do better in funding our renewable energy technologies.

Mr. Speaker, the appropriators have done their job, and while I would like to see a more comprehensive bill, I believe that the appropriators have done their job well.

Let me be the first to commend the gentleman from Ohio (Mr. HOBSON) and the ranking member, the gentleman from Indiana (Mr. VISCLOSKY) for their work.

With that being said, my main regret is that the Republican leadership decided not to make in order the amendment offered by the gentlewoman from California (Ms. ESHOO) and the gentleman from California (Ms. LOFGREN).

The Eshoo-Loftgren amendment is simple. It would require that the Federal Emergency Regulatory Commission order refunds whenever sellers of electricity charge rates that are not just and reasonable. This will require FERC to order refunds stemming from the market manipulation that occurred in California and the Pacific Northwest in 2000 and 2001. It would also require FERC to disclose documents and evidence that it has obtained in its investigation of Enron in manipulation of the western energy market; and it would require FERC to allow States to fully participate in FERC proceedings and negotiations on market manipulation.

At the end of this debate, I will offer a motion to defeat the previous question. If the previous question is defeated, the gentlewoman from California (Ms. ESHOO) and the gentleman from California (Ms. LOFGREN) will offer their amendment to the Energy and Water Appropriations bill for fiscal year 2005. This is an important proconsumer amendment, and it deserves to be considered today.

Mr. Speaker, when is enough enough? It is sad that the Republican leadership feels compelled to continue to protect the Enrons of the world. It is time that we hold these companies accountable, and the Eshoo-Loftgren amendment is the right prescription for this ailment.

Mr. Speaker, yesterday we engaged in a colossal waste of time as the leadership of this House forced the Members of this House to spend an entire day to debate a bill and amendments that were defeated by substantial margins; and yet the leadership of this House is unable to allow us to have the

opportunity to debate an amendment that will actually make a real difference in the lives of the people of this country. We can do much better than this, and I will urge my colleagues to vote "no" on the previous question.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do want to quote my colleague who said that this is a good bill. It is a good bill and it does deserve to be passed. It also is a bill that does not need to address what is known as the Eshoo amendment, because it has already been addressed. It has been addressed in the H.R. 6 conference report and H.R. 4503 that was passed last week by the House and is pending in the Senate; and that will provide the authority to FERC to ensure that the proper elements are taken care of as it relates to serious allegations that have been raised, especially in California.

I do thank the gentleman for his support of the bill. I believe he has qualified it appropriately, and I do, too, give thanks to the gentleman from Ohio (Mr. HOBSON) for the work he has done.

Mr. Speaker, I would like to notify the gentleman from Massachusetts (Mr. MCGOVERN) that at this time I do not have any speakers as a result of the adequacy of the bill that has taken care of many requests on this side; and so I would like to inform the gentleman that I would allow him to go ahead and consume the time that is necessary.

Mr. Speaker, I will reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 4½ minutes to the gentlewoman from California (Ms. ESHOO).

(Ms. ESHOO asked and was given permission to revise and extend her remarks.)

Ms. ESHOO. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN), who has been a wonderful supporter of our effort that has been stretched out over 4 years.

Mr. Speaker, I strongly support the underlying bill. It is an excellent one, and I commend the gentleman from Ohio (Mr. HOBSON) and the ranking member, the gentleman from Indiana (Mr. VISCLOSKY) for their bipartisan leadership of the Subcommittee on Energy and Water Development. But I rise to urge the defeat of the previous question on the rule, because the rule does not provide a waiver for the amendments to address market manipulation and require the Federal Energy Regulatory Commission to take action to refund consumers' dollars that were manipulated.

I testified before the Committee on Rules yesterday that this amendment be made in order, but the request was denied.

I think the word "denial" pretty well sums up the response of Congressional Republicans and the FERC to the western energy crimes. In 2000 and 2001, FERC essentially allowed energy pro-

ducers to game and corrupt the western energy market, and consumers were gouged billions of dollars. In March 2001, Congressional Democrats wrote to the President for help and we are still waiting for the reply.

In 2002, Democratic Members of the California delegation asked six times for a Congressional investigation and hearings on market manipulation. It never happened. In 2003, we tried to address the refunds issue with amendments to the Energy Policy Act. Nothing happened.

Over 4 years we have tried everything we could to help consumers in the Pacific Northwest and California. This work is summarized in a five-page document which, Mr. Speaker, I include for the record.

The House must consider this amendment today because we are running out of opportunities to right the wrongs which created the crimes itself. This amendment will first amend the Federal Power Act by changing the rules for refunds effective dates under Section 206. Currently, these rules allow refunds after a complaint has been filed. This amendment will allow refunds for all overcharges regardless of when a complaint has been filed. This change will require FERC to order refunds for the gouging that occurred in the West and elsewhere in the Nation in 2000 and 2001.

Two, it requires FERC to open new investigations, if necessary, to award refunds to western consumers.

Three, it requires the FERC to step in to order refunds whenever manipulation occurs in the future in any State in our country.

Four, it requires the FERC to allow California to participate in heretofore secret negotiations between FERC and power producers who were thought to have engaged in market manipulation. And lastly, it requires the FERC to make public all documents that it is holding related to the manipulation of the western energy market in 2000 and 2001.

□ 0930

And let there be no doubt, there were wrongs. The Enron tapes which CBS broadcast earlier this month make it all too clear that companies were manipulating the market. They bragged about stealing money from "those poor grandmothers in California."

Some of the language was so profane that by congressional action it was deemed it could not be broadcast. The language was shocking and the facts in the transcripts chilling. They are part of a litany of evidence of widespread market manipulation.

There are smoking gun memos in which Enron admitted how they gamed the market. They had names for each one of their undertakings. We have transcripts of employees of Reliant Energy describing how they gamed the market; and with that striking evidence, FERC chose to negotiate a settlement in this case for pennies on the

dollar without allowing California to participate.

We have reams of evidence discovered by the State of California. We have the Justice Department's indictments and plea agreements with many energy traders and producers. Even the FERC found "significant market manipulation." But, despite the evidence, the FERC has been reluctant to order refunds to compensate consumers even though it has the obligation to protect energy consumers of our country.

Mr. Speaker, it has been 4 long years since the crisis began. Consumers have been waiting for relief. We think they deserve it and they should have it. I urge my colleagues to defeat the previous question and allow this amendment to come to the floor.

CONGRESSIONAL ACTIVITY TO ADDRESS THE ENERGY CRISIS—CHRONOLOGY HIGHLIGHTS 2000

June 14, 2000—First blackout of the electricity crisis and first blackout in California since World War II.

August 2, 2000—San Diego Gas & Electric Company (SDG&E) files a complaint under Rule 206 under the Federal Power Act against western power suppliers, alleging that market prices are "unjust and unreasonable." Calls on the Federal Energy Regulatory Commission (FERC) to impose price limits.

November 1, 2000—FERC reports that wholesale electricity prices have been and have the potential to continue to be "unjust and unreasonable." 2001

January 19, 2001—25 members of the California delegation write to FERC to urge it to address the high price of electricity in California.

January 20, 2001—Representatives Duncan Hunter and Anna G. Eshoo introduce H.R. 238 to amend the Department of Energy Authorization Act to authorize the Secretary of Energy to impose interim limitations on the cost of electric energy to protect consumers from unjust and unreasonable prices in the electric energy market. A bipartisan group of thirty-two Western Members cosponsor the bill. Senate companion (S. 26) introduced by Senators Dianne Feinstein and Barbara Boxer on January 22, 2001.

January 30, 2001—Representative Bob Filner introduces H.R. 268, the California Electricity Consumers Relief Act, that requires FERC to order refunds retroactive to the beginning of the crisis on June 1, 2000.

March 2, 2001—Representatives Hunter and Eshoo write to House Energy and Commerce Committee Chairman Billy Tauzin and House Energy and Air Quality Subcommittee Chairman Joe Barton to call for a hearing on the Western energy crisis and H.R. 238.

March 6, 2001—House Subcommittee on Energy and Air Quality holds hearing—Congressional Perspectives on Electricity Markets in California and the West and National Energy Policy.

March 20 and 22, 2001—House Subcommittee on Energy and Air Quality holds hearing—"Electricity Markets: California."

March 22, 2001—House Democrats write to President Bush to urge him to fill FERC vacancies, to call on FERC to investigate and mitigate high electricity prices in California, and to replace FERC Chair Curtis Hebert. No reply is received from the President.

March 23, 2001—California Democrats on the House Energy and Commerce Committee respond to the majority's request for com-

ments on proposed legislation to "fix" problems in the Western energy market. Members note the omission of any provision to address the excessively high cost of electricity. No formal reply is received.

March 30, 2001—Democratic Members from California, Washington, and Oregon write to President Bush to urge him to address the high cost of wholesale electricity and "investigate recent allegations of overcharges" in the Western energy market. No substantive reply is received from the President.

April 4, 2001—H.R. 1468 is introduced with the support of 30 California Democrats. The bill requires the Federal Energy Regulatory Commission to impose cost-of-service pricing in the Western electricity market and to order the refund of overcharges.

April 10, 2001—U.S. Secretary of Energy Spencer Abraham writes to Members of Congress to update them on the Administration's efforts to address the energy crisis. The Secretary discounts the crisis as "a supply crisis" and states the Administration's opposition to price mitigation.

April 16, 2001—California Democrats on the House Energy and Commerce Committee write to FERC Commissioner Linda K. Brethitt to urge her to support cost-of-service pricing in the West.

April 26, 2001—FERC issues an order establishing a price mitigation plan during stage 1, 2, and 3 power emergencies. The order sets the mitigated price on the most inefficient, polluting generator in the State. Generators can exceed the mitigated price if they justify their costs.

May 1 and 3, 2001—House Energy and Air Quality Subcommittee holds hearing on H.R. 1647, The Electricity Emergency Act of 2001—a bill with the purported purpose of solving the energy crisis by increasing the supply of electricity. Among other proposals, the bill calls for the suspension of federal environmental laws that might diminish energy production. California Governor Gray Davis and the California Energy Commission and Air Resources Board report that environmental protection laws are not an impediment to energy production. The bill does not address runaway prices.

May 1, 2001—Members of the California Republican Delegation meet with Vice President Dick Cheney on the energy crisis. California Democrats are not invited.

May 3, 2001—California Democratic Congressional Delegation Chair Sam Farr writes Vice President Cheney criticizing him for excluding California Democrats from his May 1, 2001 meeting with California Republicans. Rep. Farr requests a meeting with the Vice President.

May 4, 2001—44 Democratic Members of Congress write to Secretary Abraham to use his authority to address price gouging in the West. Reply reiterating the Administration's opposition to "price caps" mailed July 2, 2001.

May 17, 2001—Vice President Cheney and the National Energy Policy Development Group (NEPDG) submit their recommendations to President Bush. The recommendations do not include anything to address runaway prices in the West. About the Western energy crisis, the NEPDG writes, "Though weather conditions and design flaws in California's electricity restructuring plan contributed, the California electricity crisis is at heart a supply crisis" (National Energy Policy, page 1-3). The report blames California for not building enough generating plants, "there are no short-term solutions to long-term neglect."

May 25, 2001—84 Democratic Members of the House write President Bush to request that he back a price mitigation amendment to H.R. 1647 based on H.R. 1468. No reply is received from the President.

May 25, 2001—Ten respected economists, including Alfred Kahn, architect of deregulation in the airline industry, write to President Bush and the Congressional leadership to express support for cost-of-service based rates for electricity in the western market.

June 2, 2001—Rep. Eshoo delivers the Democratic response to the President's weekly radio address on the energy crisis.

June 7, 2001—21 Western Democrats write to FERC Chairman Curtis Hebert to request the opportunity to testify before the Commission in a public meeting.

June 12, 2001—California Democratic Congressional Delegation meets with Vice President Cheney about the energy crisis. Vice President promises no intervention to alleviate high prices.

June 13, 2001—29 members of the California Democratic Congressional Delegation write to Vice President Cheney following a CNN report that the White House and Congressional Republicans funded an advertising campaign to oppose price mitigation in the West.

June 19, 2001—FERC expands its April 26th order to cover the entire West during all hours of operation, requires all generators to make their power available, and continues to base the mitigated price on the least efficient generator. FERC determines that refunds are owed and orders administrative hearings to determine the amount.

June 19, 2001—Members of the California and Western delegations testify before the House Rules Committee in support of amendments to H.R. 2246, the Fiscal Year 2001 Supplemental Appropriations bill. The amendments would require FERC to impose cost-of-service pricing in the West and order electricity generators to pay refunds of rates that are "unjust and unreasonable." The Rules Committee, chaired by California Republican David Dreier, refuses to allow the consideration of these amendments.

June 20, 2001—Representative NANCY PELOSI attempts to bring a cost-of-service amendment to H.R. 2246 to the floor. Republicans block it on a procedural objection.

June 20, 2001—Governor Gray Davis, with many Members of the California Congressional Delegation in attendance, testifies before the Senate Governmental Affairs Committee about FERC's activities in the Western energy market.

June 30, 2001—California Democratic Congressional Delegation writes to FERC Chairman Curtis Hebert about 32 important California-related cases that were pending before the Commission for an extended period of time. Reply dated August 28, 2001.

July 17 and 18, 2001—House Energy and Commerce Committee holds markup of the Committee Print, Energy Advancement and Conservation Act. Committee defeats two amendments offered by the California Democrats on the Committee to impose cost-of-service pricing and require the refund of overcharges.

August 1, 2001—Floor consideration of H.R. 4, Securing America's Future Energy. House defeats Rep. Waxman's cost-of-service pricing amendment by 157-274. The Rules Committee refuses to make in order an amendment offered by Representatives Eshoo and Harman to require refunds of overcharges.

October 29, 2001—Rep. Eshoo testifies before a FERC technical conference on behalf of the California Democratic Congressional Delegation. Requests that the Commission's price mitigation plan remain in force until the market has stabilized. Asks the Commission to act quickly in ordering refunds.

November 27, 2001—California Democrats on the House Energy and Commerce Committee write to Energy and Air Quality Subcommittee Chairman Barton to urge him to address the problem of market power in energy markets within draft electricity restructuring legislation. No reply is received.

2002

February 14, 2002—Members of the California Delegation write to House Energy and Commerce Committee Chairman Tauzin to urge him to investigate and hold hearings on the business conduct and pricing practices of Enron during the Western energy crisis.

May 8, 2002—The California Democratic Congressional Delegation and 4 Northwestern Democrats write Chairman Tauzin, urging him to open an investigation and to hold hearings on market manipulation in the Western energy market after FERC posts internal Enron memos detailing how the company artificially inflated prices. Memos indicate that other companies adopted the same practices that Enron did.

May 9, 2002—The Securities and Exchange Commission announces investigation into the "round-trip" trades between Dynegy, an energy marketer that sold into the California market, and CMS Energy of Dearborn, Michigan.

May 15–16, 2002—Senate Consumer Affairs, Foreign Commerce, & Tourism Subcommittee holds hearing on Enron memos entitled, "Examining Enron: Developments Regarding Electricity Price Manipulation in California." Rep. Eshoo and Harman attend. The Senate Energy and Natural Resources Committee holds a similar hearing.

June 5, 2002—California Democrats on the House Energy and Commerce Committee lead 75 House Members, including Minority Leader Gephardt, in a letter to House Speaker Hastert and Energy and Commerce Chairman Tauzin to ask for an investigation of energy suppliers.

June 5, 2002—31 California Democrats write to FERC Chairman Patrick Wood to urge him to extend FERC's price mitigation plan for the West beyond September 30, 2002 when it is due to expire.

June 18, 2002—The General Accounting office issues a report that exposes weaknesses in FERC's ability to regulate energy markets. The report says, "FERC is not adequately performing the oversight that is needed to ensure that the price produced by [energy] markets are just and reasonable and therefore, it is not fulfilling its regulatory mandate."

June 19, 2002—California Democrats on the House Energy and Commerce Committee write to Chairman Tauzin again to urge a hearing and investigations, noting that the GAO report indicates that FERC is not up to doing the job on its own.

June 20, 2002—Congress Daily AM reports, "House Republicans agreed [June 19, 2002] to hold a hearing to examine whether trading firms such as Enron Corp., may have illegally manipulated electricity prices in the West." The article continued, "The hearing would serve as a spring board for a broader inquiry into price manipulation and FERC's ability to oversee the Market [Energy and Commerce Committee Chairman] Tauzin said."

July 25, 2002—California Democrats on the House Energy and Commerce Committee write to Chairman Tauzin again to urge a hearing and investigations, noting that he has not fulfilled his public promise a month earlier to hold hearings and investigate energy transactions in the West. The letter notes that this work should be completed before Chairman moves ahead with the consideration of electricity provisions in the House-Senate Conference Committee on H.R. 4, the comprehensive energy bill. Finally, the letter asks for access to documents that Committee obtained from FERC. The documents had been compiled by FERC as a part of an investigation that it initiated following inquiries from U.S. Senators.

July 26, 2002—Chairman Tauzin responds to the Western Representatives May 8, 2002 let-

ter with a recitation of the Committee's previous work on the Western energy crisis in 2001. The Chairman notes that he requested and received the documents he received from the Federal Energy Regulatory Commission (FERC), which were being reviewed by majority and minority staffs. However, he does not explain why the Committee has not held a hearing since the Enron "smoking gun" memos were made public. The Chairman does not respond to the request for access to the FERC documents.

August 21, 2002—California Democrats on the House Energy and Commerce Committee respond to Chairman Tauzin's letter, and again ask for a serious, independent investigation of the Western Energy market. The letter reiterates the request for access to FERC documents obtained by the Committee.

2003

January 9, 2003—The California Democratic Congressional Delegation writes to the Chairman of the Federal Regulatory Energy Commission (FERC) Patrick Wood, III, to reject the findings of Administrative Law Judge Bruce Birchman (Refund Case EL00-95-045) because he recommended that energy generators who supplied power to California during the 2000–2001 energy crisis owe far less than the \$8.9 billion that California is seeking.

March 3, 2003—The California parties (including the Governor and the Attorney General of California, the California Public Utilities Commission, and the state's major independently-owned utilities) present to the Commission more than 1,000 pages of evidence of widespread market power abuse and market manipulation. The California parties had to go to the Ninth Circuit Court of Appeals to force the Commission to allow them to discover and present this evidence.

March 26, 2003—The Federal Energy Regulatory Commission (FERC) released a detailed report on the California Energy crisis, concluding that there was widespread manipulation in the California energy market. However, FERC did not propose increasing refunds substantially to reflect the gaming that took place. In particular, FERC continued to insist that the State of California could not receive refunds on the short-term electricity purchases it made to keep the lights on.

April 2, 2003—During the Energy and Commerce Committee markup of the Energy Policy Act (H.R. 6) Rep. Eshoo offers an amendment to increase the refunds for California consumers by \$5 billion. The amendment simply required the Federal Energy Regulatory Commission (FERC) to refund all "unjust and unreasonable" charges the State of California incurred for the short-term energy purchases it made to keep the lights on during the California energy crisis in 2001. The amendment failed on a vote of 21 to 30 in the Energy and Commerce Committee. Rep. Eshoo, supported by the California Democratic Congressional Delegation, attempts to bring the amendment to the floor for consideration several days later but not one California Republican would support the amendment and it wasn't considered.

September 25, 2003—31 Members of the California Democratic Congressional Delegation write to FERC Chairman Wood reiterating previous concerns that FERC is having a poor record in defending the interests of California consumers, lacks an effective price mitigation plan, refuses to order the renegotiation of unjust and unreasonable long-term contracts, and has thus far short-changed consumers in the refund proceedings.

2004

May 6, 2004—An amicus brief is filed at the 9th Circuit Court regarding FERC and Cali-

fornia energy refunds signed by 37 parties: California's 2 Senators, 33 House California Democrats, State Senate President Pro Tem John Burton, and State Assembly Speaker Fabian Nunez. The brief supports the California parties' lawsuit that FERC follow the Court's order to use the existing Remedy Proceeding—a forum subject to judicial review—to collect evidence of energy market manipulation, rather than non-public investigatory proceedings that shut CA consumers out of the process.

June 2, 2004—CBS News broadcasts tapes unearthed by Snohomish Public Utility District which capture Enron traders bragging in profane terms about their effort to manipulate the Western Energy Market.

June 14, 2004—All 33 California House Democrats write to FERC to request that it address the issues raised by the Enron tapes.

June 15, 2004—The House defeats motion to recommit H.R. 4305, the Energy Policy Act of 2004, 192–230 (Roll Call Vote 240). The motion would have added language to the bill that will enable California consumers to receive equitable refunds.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, the sad tale of our energy rip-off in the western United States is really before us today. We started out reacting in a bipartisan way, but, in reviewing the history, I note that after House Republicans met with the Vice President on May 1, 2001, that bipartisan effort did stall.

We have tried for 4 years to get results. In June, 2001, the California delegation asked for amendments to H.R. 2246; and the Committee on Rules refused to allow those amendments which would provide a refund for unjust and unreasonable rates.

In July, 2001, amendments were offered in the markup in the Committee on Energy and Commerce; and Republicans refused to allow the requirement of refunds in overcharges.

In August of 2001, the Committee on Rules refused to make in order an amendment to require refunds of overcharges.

In June of 2002, the GAO report indicated that the FERC was really not doing the job, but Congress and the administration did nothing about it.

In April, 2003, the effort was made again through H.R. 6 to refund all unjust and unreasonable charges, but, again, we were blocked in that effort.

Finally, in May, 2004, Californians, including the attorney general, the chief law enforcement officer of the State of California, filed a lawsuit to try and get the law followed.

Now, what is the problem here? We had energy manipulation. We had a theft. California was a crime victim. When there was a fire, they were quoted as saying, "burn, baby, burn, that is a beautiful thing," the trader said about the massive fire; and they also said he is just F-ing California, meaning he steals money from California to the tune of about a million.

Mr. Speaker, we need to do something about this. Yesterday, we asked that the Eshoo amendment be made in order so we could get the refunds and relief that citizens in the West are due.

It was mentioned at the time that because this litigation has been filed that somehow it would be improper to proceed with Congress' action. That is simply not the case.

Earlier this week, I was in the Committee on the Judiciary. I have been a member of the Committee on the Judiciary for 9½ years. We were marking up enhanced penalties for terrorism crimes, and the issue was raised, these new penalties are going to be imposed on individuals whose prosecutions are under way. We got a lengthy letter from the Justice Department pointing out that there was no problem in terms of ex post facto issues and that we could proceed.

I am mindful, when the World War II Memorial was threatened because of its time frame because of a lawsuit filed by NEPA, the House of Representatives acted and simply removed the World War II Memorial from NEPA coverage. I voted for that because I wanted to get the memorial approved.

Earlier this year, there was an arcane issue between interns and residents employed by medical schools and hospitals on whether or not that was an employment or an educational issue, and it was in court over an anti-trust case. We voted actually to define that relationship as an educational relationship, ending the litigation. I voted for that because I thought it was appropriate for Congress to step in and protect medical education in America.

It can never be correct that Congress is excused from doing its job because someone filed a lawsuit. If that were the case, all we would need to do to paralyze the House of Representatives and the Senate would be to have people file lawsuits.

I would like to say this, that for those who are refusing to act still, now in our fourth year who are through their actions, whether intended or not, covering up and protecting the wrongdoers at Enron and others, I feel a kinship with that story told to me in law school: It is like the guy who kills his parents and then throws himself on the mercy of the court because he is an orphan.

Let us act on the Eshoo amendment and get relief for California.

Mr. SESSIONS. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. WAMP), the vice chairman of the subcommittee.

(Mr. WAMP asked and was given permission to revise and extend his remarks.)

Mr. WAMP. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS) and state what a great Member of Congress the gentleman is.

I want to come this morning, after a long year, and thank the staff. Kevin Cook, the majority staff and the minority staff have worked diligently and have created a very balanced product. There are a few things that are not as high as we would like and are not funded as much as we would like, but overall it is excellent work.

Over the last year and a half, the gentleman from Ohio (Chairman HOBSON) has been all over the country familiarizing himself with our varied missions, both in the Corps of Engineers and the Department of Energy. The gentleman from Indiana (Mr. VISCLOSKEY), the ranking member, is a thoughtful and diligent member who has made enormous contributions; and this is possibly the best bipartisan work we will see through the appropriations process this year.

The things I want to point to during the debate to bring the rule up and pass this bill with tremendous bipartisan support today are, first and foremost, frankly, in the wake of September 11, the enhanced security at our nuclear weapons facilities that is manifested in this bill. This is the result of a chairman who went out and looked at these facilities, many times in a very classified setting, but came back and really dug in to get to the bottom of what needs to be done and accelerate those improvements as much as possible in this bill. I want to thank him because I represent one of those facilities, and we are going to be much more secure in the months and years ahead because of the leadership of the gentleman from Ohio (Mr. HOBSON).

Secondly, I was with the Secretary of Energy yesterday; and we were touting how this bill even ramps up the administration's commitment to science and research, supercomputing, fusion energy, the next breakthroughs that will lead to a productive society in future years in this bill. The Congress is even doing more than the administration. The administration is doing more than last year. We are making great breakthroughs. This is the seed corn of a productive American society, and this Congress is responding through this committee's work.

I am excited. We really do have a team of leadership on the subcommittee that gets it, and we need it. We have nanoscale research now at a level we have never had. This subcommittee is honoring that.

Another great initiative of this administration is we have all of these nuclear weapons facilities from the Cold War legacy. We have been maintaining them at billions and billions of dollars of annual cost. We should clean them up quicker. It is called accelerated cleanup. It is a Bush-Abraham initiative. This Congress is fully funding accelerated cleanup all across the country. Spend more money early so we do not have to spend all that money later.

Accelerated cleanup is honored in this committee's work; and I am very grateful, again representing one of those sites where for a number of years we were just stirring the money around in a pot every year and asking for more. We were spending money to stir it, instead of cleaning it up.

Mr. Speaker, important water projects, infrastructure investment are in this bill. It is very balanced between

energy and water. Sometimes the Senate goes more towards energy investments and takes away water money, sometimes the House has more water, less energy. This committee has balanced the approach from the very start, which is what we need.

For instance, in the Tennessee Valley, we have this river system with a number of dams and locks, but we have one lock with bad concrete growth problems. The Corps of Engineers has said for a number of years it needs to be replaced, but it is a \$300 million ticket. This bill starts the process of replacing the Chickamauga lock on the Tennessee River.

The gentleman from Tennessee (Mr. DUNCAN) from the Subcommittee on Water Resources and the Environment, our chairman, he wrote a bill to replace this lock; and we passed the bill. The President signed the bill into law. This committee puts the money in to start the process. We need to get it rolling and clean it up.

Now, what does this bill not have? This bill does not have everything we need to keep the nuclear energy program in this country robust and growing which has been flat for a number of years because of the long-term waste issue. That is the Yucca Mountain piece. We do not have the money. We are going to keep fighting. We believe that nuclear is a safe, clean alternative to fossil emissions. If Members want clean air, we need nuclear power.

Other countries get it. Other countries which are more environmentally sensitive, from time to time, than America are in the nuclear business because they see it as clean green energy. We need that, but we have to work out this long-term storage issue. That is Yucca Mountain. We fully funded it last year. The chairman knows that we have to have this, but we do not have the money. But we are not giving up. This is the beginning of the process with the Senate, with the budgeteers and all of the people who would have imposed caps on it. This is a great bill with bipartisan support.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me repeat what I said at the beginning. We have no problem with this bill. We congratulate the gentleman from Ohio (Chairman Hobson) and the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member, for a job well done. We are just frustrated the Committee on Rules, when it comes to amendments of substance, continues to shut us out. That is what we are upset about today.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, in the late 1990s, California, whose energy markets dominate the effect up and down the West Coast, adopted a competitive market for electric generation. Under Federal law, if a State adopts that competitive model, it gives up the right to regulate wholesale energy

prices and transfers that responsibility to the Federal Energy Regulatory Commission. In late 2000 and early 2001, the Federal Energy Regulatory Commission, FERC, slept during an artificial crisis during the winter; and over \$9 billion was stolen.

Why do I emphasize winter? Westerners will understand this. We had enough electric generation capacity to power our air conditioners in the summer, but somehow there was not enough electricity for the much lower demand to keep the lights on in the winter. Why? We were told that there was a shortage because plants were "closed for maintenance."

Here is the chart that illustrates what happened. The blue indicates the noncrisis previous year as to the number of plants and the amount of electricity not generated thereby due to maintenance. The yellow shows the crisis, closed for maintenance.

Now the transcripts are out. Not just Enron but Reliant and other Presidentially protected corporate criminals were closing the plants in order to create an artificial shortage.

Now the transcripts that are most famous are obscene. They include the now-famous quote that says, Gramma Millie, she wants her F-ing money back for all the money you jammed up her orifice for \$250 a megawatt hour. That is thought to be the most obscene quote, but truly the most obscene, and there are dozens like this quote, is when an Enron trader turns to the plant manager and says, "just go ahead and shut it down." Closed for maintenance, artificial shortage, \$9 billion stolen.

The responsibility for this, the greatest economic crime in our history, is not just for the thieves but those who protect them.

Whose side are Members on? Reliant and Enron and the others who shut plants down to create an artificial shortage? Or on the side of Gramma Millie and other western consumers? Members define themselves and define their party with their vote on the previous question.

Reliant is relying on the other side to protect them; and the other side may indeed enjoy a hollow victory today as they shut down debate and prevent us from even discussing an amendment to require FERC to let the western States see the documents, to require FERC to look at the fraud that occurred before a complaint was filed. They can win that hollow victory today, but 45 million westerners, including the voters of three swing States, are watching. The other side of the aisle cannot hide from them, and Gramma Millie's revenge is less than 5 months away.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). Members should avoid engaging in personality toward the President, even by innuendo.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I rise in opposition to this rule but only the rule, because I certainly support the underlying legislation. I do not support the rule because it does nothing to help Californians who have been bilked out of at least a billion dollars by Enron. It is unbelievable to me that the California members on the Committee on Rules would not make this issue that is so important to California part of today's debate.

During the 2001 energy crisis, Californians begged the President for relief, but the President did nothing. Each week, \$50 million was drained from the pockets of Californians by Texas-based energy producers. The President actually called this supply and demand. Californians, however, called it highway robbery. As it turns out, while this was happening, Enron traders were laughing about sticking it to Gramma Millie in California.

It has taken a small utility in Washington State to do what this administration has refused to do: Bring to light the callous manipulation that harmed millions of Californians and West Coasters. Enron fleeced more than \$1.1 billion from consumers while literally laughing all of the way to the bank. And even with the evidence brought out by the Enron tapes, the leadership of this House once again leaves millions of California consumers in the dark. I guess they want to hide what they have done to help Enron behind closed doors, much like the Bush administration has been working in the shadows with its energy plan for the Nation. Maybe they will not be happy until they have turned out the lights on all Americans. This bill does nothing to help California and the other western States get their retribution.

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Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, like those Members who rose before me, I support the underlying bill. It is a vital investment in our country. But I do object to the rule because it is long past time to begin to rectify this massive theft that went on.

Every day, today every Oregonian, every residential ratepayer, every business will pay, on average, 42 percent more for the electrons purchased from the same plants transmitted over the same electric lines as 4 years ago. Just one thing happened in between. That is the Bush administration, the Bush FERC and Kenny Boy Enron Lay, the President's previous largest single contributor until this year.

The Snohomish utility found that on 473 of 537 days, Enron manipulated the market. How can the Bush FERC say that is just and reasonable and not require that those illegal contracts achieved through market manipulation be voided? We do not know because they will not release the documents. They do not want people to know how

involved Enron was in setting the national energy policy.

In the year before the Bush administration released their energy policy, Enron officials met with members of the Federal Energy Regulatory Commission and their staff on 272 occasions during one work year. That means on every day there was an Enron official in the FERC offices. Were they also in Vice President CHENEY's office? We do not know because he is fighting release of those records. We need these illegal contracts to be voided, and we need all of the documentation released about this massive market manipulation.

This is continuing to cast a pall over the economy of the Pacific Northwest. We have some of the worst unemployment in the country over the last few years, and a good part is because billions of dollars have been illegally extracted from our ratepayers by the Texas-based Enron company with the Federal Energy Regulatory Commission appointed by President Bush standing by complicit, compliant and silent.

Mr. SESSIONS. Mr. Speaker, I reserve the balance of my time to close with one speaker at the very end.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPs).

Mrs. CAPPs. Mr. Speaker, I rise in opposition to this rule on behalf of ratepayers in the West who depended on the Eshoo amendment being made in order.

Time and time again, members of the California, Oregon and Washington delegations have attempted to get this House to focus on the damage caused in the western electricity crisis a few years back. We have been trying to get the House to do something to return the money stolen from my constituents and millions of others. The electricity market manipulation that went on was shameful. It was surpassed, perhaps, only by the actions or rather inaction of the FERC and this Congress.

Literally billions of dollars were stolen from consumers and taxpayers by pirate firms like Enron. Recently, we were all treated to a front-row seat to the carnage demonstrated in tapes of Enron traders figuring out how best to create shortages, to drive up prices, and rip off consumers. It was sickening. But, in reality, there was nothing new in those tapes. It was just more evidence of what I and many in our delegation have been requesting for over 3 years. Enron and other power companies were shutting down power plants, diverting electricity, and engaging in illegal actions in order to drive up electricity prices.

The amendment brought before the Rules Committee by the gentlewoman from California (Ms. ESHOO) would be a great step in bringing some justice here. It would open up all the records at FERC on these cases of price fixing and market manipulation. It would force FERC to let States participate in the settlement negotiations, and it

would make some key changes in the Power Act to enable full refunds to these western States.

The Committee on Rules should have made it in order and the House should have adopted it, but that would be breaking the practice of this House and this administration in doing nothing in response to one of the great hijackings in American history. It is disgraceful. I urge my colleagues to vote against this unfair rule.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Speaker, I, like others, rise in support of the bill. I think the authors of this bill, particularly the gentleman from Ohio (Mr. HOBSON) and the gentleman from Indiana (Mr. VISCLOSKY), have done a great job, but this is the only bill we have before Congress which allows us to have a debate on FERC, the Federal Energy Regulatory Commission.

It would be a better bill if we put an amendment in there, but the Committee on Rules has not allowed that amendment, and that is wrong. It is really wrong because this is the only place where we can address that issue. The administration should address it. They have been silent. They sit by and allow FERC to continue to do nothing.

FERC is a regulatory agency. This is where the consumers can go to get some protection. That is the only agency in the Federal Government that can do anything about it; and when they do not act, we have nowhere to turn.

This is an agency that ought to have money withheld from it until it answers the questions. That is something that we do in the legislative process all the time. And since the administration has failed to hold them accountable, Congress should. We are asleep at the switch. When that switch was asleep at FERC, a regulatory agency, they allowed all of these companies to just screw California.

Mr. Speaker, it took \$9 billion of taxpayer money to pay these bills. This is absolutely absurd. It is more than absurd. It is obscene, it is criminal and it ought to stop now. The Eshoo amendment should be debated. It is a shame on the Committee on Rules that they did not make it in order.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, I am going to call for a no vote on the previous question so this body can consider and vote on the Eshoo amendment.

We all remember the horror stories of the energy crisis in California in 2000 and 2001. Virtually overnight, energy prices went through the roof, causing a fiscal crisis and chaos due to energy shortages. Energy became prohibitively expensive. Electricity that had cost under \$50 the previous year was suddenly costing over \$1,000, and some days peaked above that.

Energy disruptions brought enormous disruption to the everyday lives of the people of that State. There were

rolling brownouts that shut down traffic signals and crowded intersections, endangering those stuck in the gridlock. Even some hospitals suffered temporary power loss with little or no notice. To add insult to injury, we found out months later that this so-called energy crisis was a fraud on the part of the companies that sold the energy. They created a fake shortage and jacked up energy prices.

Mr. Speaker, we need to do something to make sure that this never happens again. The Eshoo amendment is a step in that direction. It deserves consideration in this House. A no vote on the previous question will not stop the House from taking up the energy and water appropriations bill, which is a good bill. However, a yes vote will prevent the House from considering the Eshoo amendment.

Mr. Speaker, I am not quite sure what we did yesterday on the House floor, but it was a complete waste of time. Overwhelmingly, the bill considered yesterday and all the amendments were rejected. We have an opportunity today to actually debate something meaningful that will make a difference in people's lives.

I would urge my colleagues on the other side of the aisle to join with us in voting no on the previous question. My colleagues on the other side of the aisle say they are outraged by Enron and Enron-style companies that ripped off the consumers in California. If they are truly outraged, then they should put their action where their rhetoric is: Vote no on the previous question and allow us to have a meaningful debate that will make a real difference in the lives of the people of this country and allow us to vote on the Eshoo amendment. I urge my colleagues to vote no on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of the Eshoo amendment immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, to close this great debate and this opportunity we have had to talk about energy and water.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him for the management of this rule. Thanks to the manager of the rule, he has allowed me to patiently listen to the statements that have been made by my colleagues on the other side of the aisle about this legislation. And so I sat patiently and listened to my very distinguished California colleagues, all very good friends

of mine, and I would like to say, as we have agreed in a bipartisan way, a very good bill. This is a bill that is focused on the energy and water needs that exist for this country, and they are priorities in many ways, ranging from ensuring the kind of growth that we need to national security issues and research, which are very important.

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So I believe that we are going to, based on the work of the gentleman from Ohio (Chairman HOBSON) and the full committee chairman, the gentleman from Florida (Mr. YOUNG), and the ranking minority member of the subcommittee, the gentleman from Indiana (Mr. VISCLOSKY), and the vice chairman of the subcommittee, the gentleman from Tennessee (Mr. WAMP) who spoke earlier, we are going to be able to move ahead with a very, very good piece of legislation.

But over the last few minutes, Mr. Speaker, we have been listening to a great deal of talk about my State of California. I would like to take just a few moments to talk about exactly where we are and the challenge that we have faced.

We know that we have a horribly, horribly serious situation when it comes to ripping off the energy consumers of California and the West. We all have demonstrated how extraordinarily distraught we have been, when we saw and heard the transcript of those executives who were talking about taking advantage of our constituents, the consumers out there. That is one of the reasons that we joined in wanting to do everything that we possibly can to ensure that we get to the bottom of this issue, address this issue, and resolve it in behalf of the consumers.

Now, Mr. Speaker, this bill is being considered under an open amendment process. It is an open rule, meaning that any Member will have an opportunity to stand up and offer a germane amendment. There was bipartisan agreement among Democrats and Republicans, the gentleman from Ohio (Chairman HOBSON) and the ranking minority member, the gentleman from Indiana (Mr. VISCLOSKY), to move ahead with a rule that would allow for protection of the legislation itself and an open amendment process. That is why the request which has just been made by my colleagues on the other side of the aisle, somehow saying that we are unfair, we are denying an opportunity; we are simply complying with the Rules of the House and the bipartisan request that was made of the Committee on Rules.

I heard a statement, and I am the lone Californian on the Committee on Rules and I happen to have the honor of chairing the committee, but a statement that I somehow denied the opportunity for the consideration of the Eshoo amendment. That is not the case at all, Mr. Speaker. I want to say that, under this open amendment process, we

are going to be able to have a chance to bring about a successful resolution of this.

Now, we all know that a couple of things have happened. In the Ninth Circuit Court in California, this case is under consideration. We have this process under way, and we know that the Federal Energy Regulatory Commission is scrupulously looking through those transcripts and the other concerns are there, and we are on track towards seeing reimbursement for our consumers, which is the right thing to do.

The second thing is, we in the House passed H.R. 6 just this past week. It is pending in the Senate. That legislation goes a long way towards addressing the concerns which we share and are a very high priority to us. They are designed to improve the operation of electricity markets by providing for an electronic system to increase transparency in electricity markets, something that we are all very interested in. It prohibits filings of false information and round trip or wash trading. It dramatically increases criminal and civil penalties, limits and expands penalty provisions to cover all violations of the Federal Power Act. It moves the refund effective date up to the complaint, so the refund effective date will be when the complaint was launched; and it extends the Federal Energy Regulatory Commission's refund authority to cover sales by otherwise nonjurisdictional utilities in certain markets. That is legislation that we passed right here in a bipartisan way.

Now, Mr. Speaker, I would like to close in saying that we do plan to address this issue under the Rules of the House by accepting the Eshoo amendment. The Eshoo amendment is going to be offered under an open amendment process, and I have discussed with the gentleman from Ohio (Mr. HOBSON) the issue of this great, great problem that we have of horrible abuse that has taken place in California and the West.

Ms. PELOSI. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from California.

Ms. PELOSI. Mr. Speaker, I appreciate the gentleman yielding to me.

Will the gentleman concede that the amendment that is going to be accepted by the gentleman from Ohio (Mr. HOBSON), and we appreciate the great leadership of the gentleman from Ohio (Mr. HOBSON), is not the same amendment that the Committee on Rules did not allow to come to the floor this morning?

Mr. DREIER. Mr. Speaker, if I could simply reclaim my time, and in reclaiming my time, Mr. Speaker, what I will say is that the amendment, of course, is not identical to the one that is, in fact, in violation of the Rules of the House. With the bipartisan request that was made of the Committee on Rules, we are having an open amendment process, and that means, as my friend, the gentlewoman knows very

well, that any amendment that is germane and falls within the Rules of the House will be in order.

The Eshoo amendment gets right at the problem that we are trying to address here, and we all know that we have pending, we have pending the important case that is before the Ninth Circuit Court, as well as the successful passage of H.R. 6. The Eshoo language, which is going to be accepted, gets at the root of the problem and underscores our bipartisan concern for this issue.

So, Mr. Speaker, let me say that I very much want us to bring about a successful conclusion to what has been a very tragic time for our consumers. Contrary to what I have heard from the other side of the aisle, there is, in fact, bipartisan concern, and we will take a back seat to no one when it comes to standing up for our constituents against any powerful interest.

So, with that, Mr. Speaker, I urge strong support of the rule; and I yield back the balance of my time.

The amendment previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION FOR H. RES. 694—RULE ON H.R. 4614 THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FOR FY2005

At the end of the resolution, add the following:

"SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Eshoo of California or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House."

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 4614, AS REPORTED
OFFERED BY MS. ESHOO

Page 29, after line 13, insert the following:
The Congress finds that—

(1) incontrovertible evidence has come to light that certain sellers of wholesale electricity, including Enron, manipulated energy markets in order to overcharge electricity consumers in the Western United States;

(2) these overcharges have adversely affected state economies, families, small business, and other consumers;

(3) the Federal Energy Regulatory Commission has failed to expose this wrongdoing in a timely manner and has failed to take effective action to make consumers whole, and has undercut the ability of States and other parties to pursue relief by withholding critical documents and disaggregating claims into dozens of small proceedings; and

(4) the Federal Energy Regulatory Commission should fully disclose evidence in its possession, fully involve States, and ensure that refunds are ordered for any time period in which market manipulation occurred.

The Federal Energy Regulatory Commission shall publicly disclose all documents and evidence obtained in the following proceedings: Western Energy Markets: Enron Investigation (Docket No. PA02-2), the California Refund case (Docket No. EL00-95), the Anomalous Bidding Investigation (Docket No. IN03-10), the Physical Withholding Investigation, and the Gaming Investigation (Dockets EL03-157 et al, EL03-180 et al).

The Federal Energy Regulatory Commission shall allow States affected by market

manipulation, acting through their public utility commissions, to fully participate in settlement negotiations regarding disgorgement of profits. The Federal Energy Regulatory Commission shall consolidate the various refund and disgorgement matters related to activity in the Western markets since May 2000 into a single proceeding in order to facilitate effective participation by states and other parties. No settlement shall be adopted by the Commission if it is opposed by any state whose public utility customers have an economic interest in the results of the settlement.

Section 206(b) of the Federal Power Act is amended as follows:

(1) By amending the first sentence to read as follows: "In any proceeding under this section, the refund effective date shall be the date of the filing of a complaint or the date of the Commission motion initiating the proceeding, except that in the case of a complaint with regard to market-based rates, the Commission shall establish such earlier refund effective date as is necessary to provide a refund of any rate or charge that is not just and reasonable, as determined by the Commission. To the extent necessary to achieve the purposes of this section, the Commission shall initiate new proceedings, including investigations, and issue appropriate refunds."

(2) By striking the second and third sentences.

(3) By striking out "the refund effective date or by" and "whichever is earlier," in the fifth sentence.

(4) In the seventh sentence by striking "through a date fifteen months after such refund effective date" and insert "and prior to the conclusion of the proceeding" and by striking the proviso.

PARLIAMENTARY INQUIRY

Ms. PELOSI. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman will state it.

Ms. PELOSI. Mr. Speaker, I have a parliamentary inquiry to the point of addressing what our distinguished chairman said. Is it not appropriate under the Rules of the House that the Committee on Rules could have made the Eshoo amendment, as submitted to the Committee on Rules last night, in order for debate on this floor today, with waivers?

The SPEAKER pro tempore. The Committee on Rules may propose special orders of business to the House.

Ms. PELOSI. So if I may just clarify, then it would have been possible and not outside the regular order for the Committee on Rules to have put the Eshoo amendment, as presented in the Committee on Rules, with the waiver.

The SPEAKER pro tempore. The Chair will not speculate about actions in the Committee on Rules.

The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 209, nays 182, not voting 42, as follows:

[Roll No. 320]

YEAS—209

Aderholt	Gibbons	Osborne
Akin	Gilchrest	Ose
Bachus	Gillmor	Otter
Baker	Gingrey	Oxley
Ballenger	Goodlatte	Paul
Barrett (SC)	Goss	Pearce
Bartlett (MD)	Granger	Pence
Bass	Graves	Petri
Beauprez	Green (WI)	Pickering
Biggart	Greenwood	Pitts
Bilirakis	Gutknecht	Pombo
Bishop (UT)	Hall	Porter
Blackburn	Harris	Portman
Blunt	Hart	Pryce (OH)
Boehlert	Hayes	Putnam
Boehner	Hayworth	Quinn
Bonilla	Hefley	Radanovich
Bonner	Hensarling	Ramstad
Bono	Herger	Regula
Boozman	Hobson	Rehberg
Bradley (NH)	Hoekstra	Renzi
Brady (TX)	Hostettler	Reynolds
Brown (SC)	Houghton	Rogers (AL)
Brown-Waite,	Hulshof	Rogers (KY)
Ginny	Hunter	Rogers (MI)
Burgess	Hyde	Rohrabacher
Burns	Isakson	Ros-Lehtinen
Burr	Istook	Royce
Burton (IN)	Jenkins	Ryan (WI)
Buyer	Johnson (CT)	Ryan (KS)
Calvert	Johnson (IL)	Saxton
Camp	Jones (NC)	Schrock
Cannon	Keller	Sensenbrenner
Cantor	Kelly	Sessions
Capito	Kennedy (MN)	Shadegg
Carter	King (IA)	Shaw
Castle	King (NY)	Shays
Chabot	Kingston	Sherwood
Chocola	Kirk	Shimkus
Coble	Kline	Shuster
Cole	Knollenberg	Simmons
Crane	Kolbe	Simpson
Crenshaw	LaHood	Smith (MI)
Culberson	Latham	Smith (NJ)
Cunningham	LaTourette	Smith (TX)
Davis, Jo Ann	Leach	Souder
Davis, Tom	Lewis (CA)	Stearns
Deal (GA)	Lewis (KY)	Sullivan
DeLay	Linder	Sweeney
DeMint	LoBiondo	Tancredo
Diaz-Balart, L.	Lucas (OK)	Taylor (NC)
Diaz-Balart, M.	Manzullo	Terry
Doolittle	McCotter	Thomas
Dreier	McCrery	Thornberry
Duncan	McHugh	Tiahrt
Ehlers	McInnis	Tiberi
Emerson	McKeon	Toomey
English	Mica	Turner (OH)
Everett	Miller (FL)	Upton
Feeney	Miller (MI)	Walden (OR)
Ferguson	Miller, Gary	Walsh
Flake	Moran (KS)	Wamp
Foley	Murphy	Weldon (PA)
Forbes	Musgrave	Weller
Fossella	Myrick	Whitfield
Franks (AZ)	Neugebauer	Wicker
Frelinghuysen	Ney	Wilson (NM)
Gallegly	Northup	Wilson (SC)
Garrett (NJ)	Nunes	Wolf
Gerlach	Nussle	Young (FL)

NAYS—182

Abercrombie	Bishop (NY)	Carson (OK)
Alexander	Blumenauer	Case
Allen	Boswell	Chandler
Andrews	Boucher	Clyburn
Baca	Boyd	Conyers
Baird	Brady (PA)	Cooper
Baldwin	Brown (OH)	Costello
Becerra	Brown, Corrine	Cramer
Bell	Capps	Crowley
Berkley	Capuano	Davis (AL)
Berry	Cardin	Davis (CA)
Bishop (GA)	Cardoza	Davis (FL)

Davis (IL)	Lampson	Peterson (MN)
Davis (TN)	Langevin	Pomeroy
DeFazio	Lantos	Price (NC)
DeGette	Larsen (WA)	Rahall
Delahunt	Larson (CT)	Rangel
DeLauro	Lee	Ross
Dicks	Levin	Roybal-Allard
Dingell	Lewis (GA)	Ruppersberger
Doggett	Lofgren	Rush
Dooley (CA)	Lowey	Ryan (OH)
Doyle	Lucas (KY)	Sabo
Edwards	Lynch	Sánchez, Linda T.
Emanuel	Majette	Sanchez, Loretta
Eshoo	Maloney	Sanders
Etheridge	Markey	Sandlin
Evans	Marshall	Schakowsky
Farr	Matheson	Schiff
Fattah	Matsui	Scott (GA)
Finer	McCarthy (MO)	Scott (VA)
Frank (MA)	McCarthy (NY)	Serrano
Frost	McCollum	Sherman
Gonzalez	McDermott	Skelton
Gordon	McGovern	Smith (WA)
Green (TX)	McIntyre	Snyder
Grijalva	McNulty	Solis
Gutierrez	Meehan	Spratt
Harman	Meek (FL)	Stenholm
Herseeth	Meeke (NY)	Strickland
Hill	Menendez	Stupak
Hinchee	Michaud	Tanner
Hoefel	Millender-	Tauscher
Holden	McDonald	Taylor (MS)
Holt	Miller (NC)	Thompson (CA)
Honda	Miller, George	Thompson (MS)
Hoolley (OR)	Moore	Tierney
Hoyer	Moran (VA)	Towns
Inslee	Murtha	Turner (TX)
Israel	Nadler	Udall (CO)
Jackson (IL)	Napolitano	Udall (NM)
Jackson-Lee	Neal (MA)	Van Hollen
(TX)	Nethercutt	Velázquez
Jefferson	Obey	Visclosky
Johnson, E. B.	Olver	Waters
Kanjorski	Ortiz	Watson
Kennedy (RI)	Owens	Watt
Kildee	Pallone	Woolsey
Kilpatrick	Pascrell	Wu
Kind	Pastor	Wynn
Kleczka	Payne	
Kucinich	Pelosi	

NOT VOTING—42

Ackerman	Gephardt	Peterson (PA)
Barton (TX)	Goode	Platts
Bereuter	Hastings (FL)	Reyes
Berman	Hastings (WA)	Rodriguez
Carson (IN)	Hinojosa	Rothman
Clay	Issa	Slaughter
Collins	John	Stark
Cox	Johnson, Sam	Tauzin
Cubin	Jones (OH)	Vitter
Cummings	Kaptur	Waxman
Deutsch	Lipinski	Weiner
Dunn	Mollohan	Weldon (FL)
Engel	Norwood	Wexler
Ford	Oberstar	Young (AK)

□ 1029

Mr. COOPER and Mr. BERRY changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. ISSA. Mr. Speaker, if I had been present for rollcall vote No. 320, I would have voted “yea.”

Stated against:

Mr. HINOJOSA. Mr. Speaker, I regret that I was unavoidably detained this morning. Had I been present, I would have voted “no” on rollcall 320.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Pursuant to Section 2 of House Resolution 683, the Chair lays before the House the following privileged Senate concurrent resolution (S. Con. Res. 120) providing for a conditional adjournment or recess of the Senate and the House of Representatives.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 120

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, June 24, 2004, through Monday, June 28, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, July 6, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, June 24, 2004, or Friday, June 25, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, July 6, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and the House, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the Senate concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

□ 1030

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT FRIDAY, JULY 2, 2004, TO FILE PRIVILEGED REPORT ON DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Mr. WOLF. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Friday, July 2, 2004, to file a privileged report, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005, and for other purposes.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT FRIDAY, JULY 2, 2004, TO FILE PRIVILEGED REPORT ON LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2005

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Friday, July 2, 2004, to file a privileged report, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

GENERAL LEAVE

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 4614, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 694 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4614.

The Chair designates the gentleman from Georgia (Mr. ISAKSON) as Chairman of the Committee of the Whole, and requests the gentleman from Michigan (Mr. UPTON) to assume the chair temporarily.

□ 1032

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4614) making appropriations for energy and water development for the fiscal year ending September 30, 2005, and for other purposes, with Mr. UPTON (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Ohio (Mr. HOBSON) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. HOBSON).

Mr. HOBSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill provides the annual funding for a wide range of Fed-

eral programs, including such diverse matters as flood control, navigation improvements, environmental restoration, nuclear waste disposal, advanced scientific research, maintenance of our nuclear stockpile, and nuclear non-proliferation. Total funding for the energy and water development in fiscal year 2005 is \$27.988 billion. This funding amount represents an increase of \$50 million over fiscal year 2004 and \$734 million over the President's budget request. The bill is right at our subcommittee's 302(b) allocation and provides adequate funds to meet the priority needs of the House.

I believe we do some good things for the Nation in our bill. Members will not receive as many water earmarks as they might like, but we did take care of their top priorities. Instead of a steady regimen of pork, we try to put the corps back on a balanced diet. We hope that we can leave the corps civil works program in better shape than we found it, and I am confident the changes we make in this bill will have lasting positive effects. The same holds true for DOE.

Lastly, I would like to thank all of the members of this subcommittee for their cooperation and especially thank my ranking member and partner, the gentleman from Indiana (Mr. VISCLOSKY). It has been a pleasure working with the gentleman and his staff on this bill, Dixon Butler and Peder Maarbjerg. I want also to thank the committee staff, Kevin Cook, Dennis Kern, Scott Burnison, and Tracey LaTurner, as well as Kenny Kraft on my own staff. I also want to recognize our agency detailees, Tim Winchell and Jim Spratt. Their assistance was invaluable in putting this bill and report together. I think this is a good bill. We ought to pass it expeditiously.

Mr. Chairman, it is my privilege to submit to the House for its consideration H.R. 4614, the 2005 Energy and Water Development Appropriations Bill for fiscal year 2005. The Appropriations Committee approved this bill unanimously on June 16th, and I believe it is a good bill that merits the support of the entire membership of the House.

I want to thank all the members of the Energy and Water Development Subcommittee for their help in bringing this bill to the floor today. I especially want to thank my Ranking Member, Mr. VISCLOSKY of Indiana, for his extraordinary cooperation. This is truly a bipartisan bill—that is not to say we agreed on every issue, but we did agree to work together in a professional manner to resolve our differences. I am proud of the product and equally proud of the process behind this bill. I also want to thank the Chairman of the Appropriations Committee, Mr. YOUNG, and the Ranking Minority Member, Mr. OBEY, for allowing us to move this bill forward in an expeditious manner.

Mr. Chairman, this bill provides annual funding for a wide range of Federal programs, including such diverse matters as flood control, navigation improvements, environmental restoration, nuclear waste disposal, advanced scientific research, maintenance of our nuclear stockpile, and nuclear nonproliferation. Total

funding for energy and water development in fiscal year 2005 is \$27.988 billion. This funding amount represents an increase of \$50 million over fiscal year 2004 and \$734 million over the President's budget request. This bill is right at our subcommittee's 302(b) allocation, and provides adequate funds to meet the priority needs of the House.

Title I of the bill provides funding for the Civil Works program of the Army Corps of Engineers, the Formerly Utilized Sites Remedial Action Program which is executed by the Corps, and the Office of the Assistant Secretary of the Army for Civil Works. The Committee recommends a total of \$4.833 billion for Title I activities, \$252 million above the current year and \$713 million above the budget request. That gives you an idea of how inadequate the budget request for the Corps really was. The Corps has been in an unhealthy situation the past couple of years because Congress has given them more work to do but not enough money to do it. This year, we were determined to correct that situation and put the Corps on the road to fiscal recovery. For a change, we have over-subscribed the Civil Works budget. We exercise restraint on the number of projects that we put on the Corps plate and we provide sufficient funds to get the work done. For the projects that we do fund in fiscal year 2005, we decided to concentrate on protecting existing water infrastructure and completing ongoing projects.

This country has invested over \$300 billion in current dollars in our existing water infrastructure, and this infrastructure provides over \$38 billion in annual benefits to the economy. We can't afford to ignore the maintenance of this critical infrastructure. Imagine what would happen if we have to shut down part of our inland navigation system because one of the lock structures fails—the consequences to our economy would be enormous.

Over recent years, we have created a huge backlog of work for the Corps. Existing projects take longer to complete and cost more. Let me give you just one example from my part of the country, the replacement of the McAlpine Lock on the Ohio River. Ideally, this lock replacement should take no more than 4 years to complete and should cost roughly \$230 million. However, it will cost the taxpayer an additional 10 percent for every year of additional delay on this project. We have to reverse that trend and finish what we started, and finish projects in a timely and cost-effective manner. We do not include any new project studies, new construction starts, or new project authorizations in our bill.

We task the Corps to begin preparing 5-year budget plans, similar to what the Department of Defense prepares in its Future Years Defense Plans. This should provide some consistency and stability if Congress has a clear picture of the future Civil Works program. Also, the Office of the Assistant Secretary of the Army for Civil Works is now funded in our Energy and Water bill rather than in Defense appropriations.

Title II of our bill provides \$1.1 billion for the Department of Interior and the Bureau of Reclamation, an increase of \$36 million above the amount appropriated in fiscal year 2004 and \$46 million over the budget request. The Committee does not provide funding for the California Bay-Delta Restoration program in California pending the enactment of authorizing legislation, but includes funding for several authorized components of this program.

The Department of Energy receives a total of \$22.48 billion in our bill, an increase of \$511 million over fiscal year 2004. As with the Corps, we task the Department of Energy to begin preparing 5-year budget plans, first for individual programs and then an integrated plan for the entire Department. This plan must include business plans for each of the DOE laboratories, so we understand the mission and resource needs of each laboratory.

The Committee funds the Yucca Mountain repository at the Administration's net budget request of \$131 million, and does not include the proposed authorization language to reclassify the fees paid into the Nuclear Waste Fund. As I have mentioned many times, OMB played Russian roulette when they assumed the House and Senate would pass the proposed reclassification language. By assuming the offset of \$749 million, OMB reduced the total request for discretionary spending by that amount. The House Budget Resolution reduced it even more. I don't like going forward with so little money for Yucca Mountain, but we are playing the hand that we were dealt. I remain supportive of the proposed reclassification language, and hope the efforts of the Energy and Commerce Committee to enact such legislation will be successful.

For the Energy Supply account, which funds the Department's research on renewable energy, nuclear energy, and electricity transmission and distribution technologies, the Committee provides \$817 million, an increase of \$84 million over the current year by \$18 million below the request. The Committee provides a modest increase of \$51 million for the Office of Nuclear Energy, with a focus on improving the infrastructure at the Idaho National Laboratory. We reduced the funding for hydrogen research by \$31 million below the request because the Department failed to comply with House and conference guidance regarding competition and cost sharing of hydrogen research.

The Committee provides an increase of \$168 million for the Office of Science to sup-

port research on an advanced leadership-class scientific computer and nanoscale science, and to increase the availability DOE user facilities to the scientific community.

Funding for the National Nuclear Security Administration (NNSA), is \$9 billion, an increase of \$372 million over fiscal year 2004 and a decrease of \$22 million from the budget request. The Congress just received a plan that finally shows major reductions in our nuclear weapons stockpile. However, much of the DOE weapons complex is still sized to support a Cold War stockpile. The NNSA needs to take a "time-out" on new initiatives until it completes a review of its weapons complex in relation to security needs, budget constraints, and this new stockpile plan.

The Committee provides no funds for advanced concepts research, the robust nuclear earth penetrator study, the modern pit facility, and enhanced test readiness. Our bill does provide significant increases for weapons dismantlement, for consolidation of weapons-grade materials, and for security upgrades at several sites in the weapons complex. The Committee fully funds the National Ignition Facility (NIF) and directs the National Nuclear Security Administration to complete NIF by 2008 and conduct all necessary experimental work to support first ignition in 2010.

For nuclear nonproliferation, the Committee provides the request of \$1.35 billion. We reduce funding for the domestic MOX plant and spend the resources on other high-priority non-proliferation needs.

The Committee provides the requested amount of \$943 million for non-defense environmental management, the same as the budget request. For defense environmental management activities, the Committee provides \$6.9 billion, \$301 million more than fiscal year 2004 and \$65 million less than the budget request. The Committee does not provide the full request of \$350 million for the Administration's high-level waste proposal for Waste Incidental to Reprocessing, and reduces the request by \$77 million for two specific projects

at the Savannah River Site. The Committee does not support partial solutions to the Waste Incidental to Reprocessing problem that do not address all of the affected States.

Across the entire Department of Energy, the Committee fully funds the request of \$1.4 billion for safeguards and security to protect sensitive materials, facilities, and information, and provide additional funds to address selected high-risk areas.

Title IV of our bill provides \$202 million for several Independent Agencies. The bill includes the requested funding for the Defense Nuclear Facilities Board, the Delta Regional Authority, the Nuclear Regulatory Commission and its Inspector General, and the Nuclear Waste Technical Review Board. Reduced funding is provided for the Appalachian Regional Commission, and no funding for the Denali Commission or the Office of Inspector General for the Tennessee Valley Authority.

I believe we do some good things for the Nation in our bill. Members won't receive as many water earmarks as they might like, but we did take care of their top priorities. Instead of a steady regimen of pork, we try to put the Corps back on a balanced diet. We hope that we can leave the Corps Civil Works program in better shape than we found it, and I am confident the changes we make in this bill will have lasting positive effects. The same holds true for DOE.

Lastly, I would like to thank all of the Members of this Subcommittee for their cooperation, and especially thank my Ranking Member, PETE VISCLOSKEY. Pete, it has been a pleasure working with you and your minority staff, Dixon Butler and Peder Maarbjerg. I want to thank the Committee staff—Kevin Cook, Dennis Kern, Scott Burnison, and Tracey LaTurner, as well as Kenny Kraft on my own staff. I also want to recognize our agency detailees, Tim Winchell and Jim Spratt. Their assistance was invaluable in putting this bill and report together.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, FY 2005 (H.R. 4614)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request

TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations.....	116,259	90,500	149,000	+32,741	+58,500
Construction, general.....	1,712,157	1,421,500	1,876,680	+164,523	+455,180
Miscellaneous appropriations (P.L. 108-199).....	13,669	---	---	-13,669	---
Miscellaneous appropriations (P.L. 108-199).....	22,268	---	---	-22,268	---
Rescissions.....	---	-94,000	---	---	+94,000
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee.....	322,309	270,000	325,000	+2,691	+55,000
Rescissions.....	---	-5,000	---	---	+5,000
Operation and maintenance, general.....	1,956,314	1,931,000	1,982,000	+25,686	+51,000
Regulatory program.....	139,174	150,000	140,000	+826	-10,000
FUSRAP.....	139,174	140,000	190,000	+50,826	+50,000
Flood control and coastal emergencies.....	---	50,000	---	---	-50,000
Rescissions.....	---	-1,000	---	---	+1,000
General expenses.....	159,056	167,000	167,000	+7,944	---
Office of Assistant Secretary of the Army.....	---	---	2,600	+2,600	+2,600
Total, title I, Department of Defense - Civil...	4,580,380	4,120,000	4,832,280	+251,900	+712,280
=====					
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction.....	26,880	30,806	30,806	+3,926	---
Fish, wildlife, and recreation mitigation and conservation.....	9,367	15,469	15,469	+6,102	---
Subtotal.....	36,247	46,275	46,275	+10,028	---
Program oversight and administration.....	1,718	1,734	1,734	+16	---
Total, Central Utah project completion account..	37,965	48,009	48,009	+10,044	---
Bureau of Reclamation					
Water and related resources.....	852,439	794,476	855,305	+2,866	+60,829
Loan program.....	199	---	---	-199	---
Central Valley project restoration fund.....	39,366	54,695	54,695	+15,329	---
California Bay-Delta restoration.....	---	15,000	---	---	-15,000
Working capital fund (rescission).....	-4,525	---	---	+4,525	---
Policy and administration.....	55,197	58,153	58,153	+2,956	---
Total, Bureau of Reclamation.....	942,676	922,324	968,153	+25,477	+45,829
=====					
Total, title II, Department of the Interior.....	980,641	970,333	1,016,162	+35,521	+45,829
=====					
TITLE III - DEPARTMENT OF ENERGY					
Energy supply.....	733,190	835,266	817,126	+83,936	-18,140
Miscellaneous appropriations (P.L. 108-199).....	4,971	---	---	-4,971	---
Non-defense site acceleration completion.....	162,411	151,850	151,850	-10,561	---
Uranium enrichment decontamination and decommissioning fund.....	414,027	500,200	500,200	+86,173	---
Non-defense environmental services.....	337,465	291,296	291,296	-46,169	---
Science.....	3,431,335	3,431,718	3,599,964	+168,629	+168,246
Miscellaneous appropriations (P.L. 108-199).....	50,948	---	---	-50,948	---
Nuclear Waste Disposal.....	188,879	749,000	---	-188,879	-749,000
Departmental administration.....	215,255	261,873	243,876	+28,621	-17,997
Miscellaneous revenues.....	-123,000	-122,000	-122,000	+1,000	---
Net appropriation.....	92,255	139,873	121,876	+29,621	-17,997
Office of the Inspector General.....	39,229	41,508	41,508	+2,279	---

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, FY 2005 (H.R. 4614)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Atomic Energy Defense Activities					
National Nuclear Security Administration:					
Weapons activities.....	6,235,502	6,568,453	6,514,424	+278,922	-54,029
Defense nuclear nonproliferation.....	1,319,779	1,348,647	1,348,647	+28,868	---
Naval reactors.....	761,878	797,900	807,900	+46,022	+10,000
Office of the Administrator.....	337,974	333,700	356,200	+18,226	+22,500
Subtotal, National Nuclear Security Administration.....	8,655,133	9,048,700	9,027,171	+372,038	-21,529
Defense site acceleration completion.....	5,617,719	5,620,837	5,930,837	+313,118	+310,000
High-level waste (Waste Incidental to Reprocessing) (legislative proposal).....	---	350,000	---	---	-350,000
Defense environmental services.....	985,296	982,470	957,976	-27,320	-24,494
Defense environmental management privatization (rescission).....	-15,329	---	---	+15,329	---
Subtotal, Defense environmental management.....	6,587,686	6,953,307	6,888,813	+301,127	-64,494
Other defense activities.....	670,510	663,636	697,059	+26,549	+33,423
Defense nuclear waste disposal.....	387,699	131,000	131,000	-256,699	---
Total, Atomic Energy Defense Activities.....	16,301,028	16,796,643	16,744,043	+443,015	-52,600
Power Marketing Administrations					
Operation and maintenance, Southeastern Power Administration.....	4,869	5,200	5,200	+331	---
Operation and maintenance, Southwestern Power Administration.....	28,420	29,352	29,352	+932	---
Construction, rehabilitation, operation and maintenance, Western Area Power Administration.....	175,778	173,100	173,100	-2,678	---
Falcon and Amistad operating and maintenance fund.....	2,624	2,827	2,827	+203	---
Total, Power Marketing Administrations.....	211,691	210,479	210,479	-1,212	---
Federal Energy Regulatory Commission					
Salaries and expenses.....	203,194	210,000	210,000	+6,806	---
Revenues applied.....	-203,194	-210,000	-210,000	-6,806	---
Total, title III, Department of Energy.....	21,967,429	23,147,833	22,478,342	+510,913	-669,491
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission.....	65,611	66,000	38,500	-27,111	-27,500
Defense Nuclear Facilities Safety Board.....	19,444	20,268	20,268	+824	---
Delta Regional Authority.....	4,971	2,096	2,096	-2,875	---
Denali Commission.....	54,676	2,500	---	-54,676	-2,500
Nuclear Regulatory Commission:					
Salaries and expenses.....	618,328	662,777	662,777	+44,449	---
Revenues.....	-538,844	-534,354	-534,354	+4,490	---
Subtotal.....	79,484	128,423	128,423	+48,939	---
Office of Inspector General.....	7,297	7,518	7,518	+221	---
Revenues.....	-6,716	-6,766	-6,766	-50	---
Subtotal.....	581	752	752	+171	---
Total, Nuclear Regulatory Commission.....	80,065	129,175	129,175	+49,110	---
Nuclear Waste Technical Review Board.....	3,158	3,177	3,177	+19	---

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, FY 2005 (H.R. 4614)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request

Tennessee Valley Authority:					
Office of Inspector General.....	---	9,000	---	---	-9,000
	=====	=====	=====	=====	=====
Total, title IV, Independent agencies.....	227,925	232,216	193,216	-34,709	-39,000
	=====	=====	=====	=====	=====
Grand total:					
New budget (obligational) authority.....	27,756,375	28,470,382	28,520,000	+763,625	+49,618
Appropriations.....	(27,776,229)	(28,570,382)	(28,520,000)	(+743,771)	(-50,382)
Rescissions.....	(-19,854)	(-100,000)	---	(+19,854)	(+100,000)
	=====	=====	=====	=====	=====

Mr. Chairman, I reserve the balance of my time.

Mr. VISCLOSKEY. Mr. Chairman, I yield myself such time as I may consume. I want to first of all congratulate the gentleman from Ohio (Mr. HOBSON), as well, on a very well-crafted bill. I would start by thanking the chairman very much for his friendship as well as his fairness and discretion in his dedication to make sure that the right thing is done and that the agencies under our jurisdiction are made as efficient and as effective as possible.

As the chairman noted, we have an excellent staff that works very, very well together and they have helped us craft a very good bill. I too want to enumerate them because they are all so very important to us: Tracey LaTurner; Tim Winchell; Jim Spratt; Kenny Kraft; Dennis Kern; Scott Burnison; Kevin Cook, whom, I might add, is a Cornell graduate and has replaced a Notre Dame graduate as clerk of the committee; Dixon Butler and Peder Maarbjerg.

This is a very good bill. There are a lot of good things to recommend it to the membership.

Mr. Chairman, let me begin by thanking the gentleman from Ohio, Chairman HOBSON, for the courtesy shown to me and the Democratic staff by him and the majority staff of our Subcommittee. The positive environment and cooperation engendered makes work on this bill a joy and pleasure.

I share with the Chairman the frustration that more cannot be done, particularly for the water and environmental infrastructure of our nation. The constraints imposed by the budget are very real. Our subcommittee mark increases funding for the U.S. Army Corps of Engineers above last year's level and well above the ridiculously low request of the President. That said, the level recommended for FY 2005 is only 2.6% above that enacted by FY 2003; clearly this increase is below the level of inflation, so the buying power of the Corps-Civil Works budget is again below what it was two years ago.

This bill puts a priority on completion of ongoing construction projects and studies and maintenance of high priority existing infrastructure. It does not contain any new starts, and this should help to begin to clear the current backlog of projects and enable the accomplishment of these projects in less time—thereby reducing total project costs and accelerating the realization of benefits to our economy. However, current funding levels will not truly fix this problem. In my opinion, substantive increases to the budget of the Corps are needed—increases above the rate of inflation. A transformation in the way that water infrastructure and environmental restoration are supported through the Corps of Engineers and the Bureau of Reclamation will require a transforming rather than simply sustaining increase in the funds we provide. Without this, completion of construction and maintenance projects and studies will continue to take too long and major new projects will languish.

There are those who have flirted with radical changes to our nation's approach to nuclear weapons—seeking to study new weapons for new missions and to develop a nuclear bunker buster. These same individuals have pushed

to have this Nation prepare to resume underground nuclear testing within 18 months of a Presidential decision and to begin development of a major new facility to build plutonium pits—also referred to as nuclear triggers. All of these steps jeopardize our position in the world as advocates of restraint in the development of weapons of mass destruction. They all portend major increases in funding requirements. Today, conventional national defense and homeland security, including nuclear nonproliferation, are far better investments than enhancements to our nuclear deterrent. Under the leadership of Chairman HOBSON, no funding is provided in the Energy and Water Development bill for any of these ill-considered policies.

As many members realize, plutonium, highly enriched uranium and some highly radioactive products of nuclear fission in the hands of terrorists could pose major hazards to the United States and its allies. Accordingly, this bill fully funds the President's request of almost \$1.35 billion for Defense Nuclear Nonproliferation at DOE. Some elements of the DOE program are stalled while other opportunities have opened up to protect major quantities of fissionable material. Accordingly, I fully support the shifts in this bill of \$177.25 million to priority targets for nonproliferation including: security of Russian Strategic Rocket Forces sites (+\$32M), MegaPorts (+\$30M), and efforts outside the Former Soviet Union (+\$60M). Also, I am pleased to note that this year no reductions are taken to nuclear nonproliferation efforts due to uncanceled prior year funds; this helps keep the pressure on to move aggressively to initiate new projects in Russia.

Last year, in the first year that the gentleman from Ohio served as chairman of the subcommittee, the FY 2004 Energy and Water Development appropriation fenced some funds for advanced nuclear weapons concepts, specifying that \$4 million could not be spent until the Administration provided a revised nuclear stockpile plan. Thanks to this action, the Departments of Defense and Energy have finally delivered a revised plan that details how the United States will achieve our treaty commitments to bring the number of deployed nuclear weapons down to the range of 1,700 to 2,200 by the year 2012. The development of this plan is vital to our nation.

Now, the spending plans of the National Nuclear Security Administration need to be brought into alignment with the revised nuclear stockpile plan. I am committed to working with the majority and DOE to bring this about. For FY 2005, the bill will fund the beginning of this process by providing support for an ongoing program of disassembly for nuclear weapons that are no longer needed. A smaller stockpile will be less expensive to maintain and certify while still providing a more-than-adequate nuclear deterrent.

Experience shows that when the Department of Energy's labs are forced to compete with universities and other outside research groups, the country gets more for its money and the labs actually do better work. The Department has for some time asserted that open competition between its labs and external entities, such as universities, is not allowed under federal procurement law and regulations. I am particularly pleased that this year this bill instructs DOE to find a way to accomplish fully open competitions and to propose changes to law or regulation if any are

needed. I note that DOE labs are already involved in space missions where traditionally competition for science investigations, including major research instruments, is open to NASA centers, DOE and other agency labs, universities, and corporations, so DOE may find that this is easier than they have asserted in the past.

As we in the Congress push the Administration to develop a five-year plan for DOE and business plans for each of its labs, we also should work to clarify the role of DOE in the life sciences. Our nation continues to make major investments in the National Institutes of Health, yet the DOE is seeking to develop major facilities to support research in protein synthesis and the control genes exert over processes in living cells. Many of these facilities involve the use of advanced physics techniques—a traditional strength of DOE. Does this traditional role in physics research mandate that DOE fund these facilities? Furthermore, does DOE's traditional role as the chief supporter of high energy physics mean that DOE should co-fund satellite missions in astronomy that are traditionally the responsibility of NASA? NSF supports astronomy of all kinds and has since its inception, yet it does not seek funding for satellite missions.

This year, the bill again provides strong support to the Office of Science at DOE. This office is leading efforts to develop a U.S. supercomputer that will be the most capable in the world—a distinction currently held by the Japanese Earth Simulator. Last year, an extra \$30 million was provided to jump-start this effort. This year, the Department included this increase in its base budget, but this level of funding will not get the job done. So, again another increase of \$30 million is provided for this effort. DOE provides the science and industrial communities with powerful research tools. In the President's budget request, operating time on some of these user facilities would have been less than optimum. To get the most from our past investment in these facilities, funding levels are provided to increase the number of weeks they can operate in FY 2005. More support also is provided for nanoscale science and technology and maintenance of DOE science facilities around the nation.

Long ago, our nation made a commitment to to use nuclear energy to power our submarines and aircraft carriers and to provide a significant amount of our commercial electricity generation. We have operated a nuclear weapons complex for about 60 years. The result is considerable amounts of high-level nuclear waste that is currently spread around our country. For our safety and that of coming generations, this waste needs proper, long-term burial. The Congress and the Executive have decided that this burial will be in Yucca Mountain on the edge of the Nevada Test Site.

Funding for long-term disposal of high level nuclear waste in FY 2005 should be \$880 million, but OMB muddled the situation by needlessly proposing that the civilian support of \$749 million be funded through a legislated reclassification of money paid into the nuclear waste fund and kept in the general treasury. This, along with the constraints of the budget, has left us unable to provide these funds in this bill. I find it hard to believe that a poorly timed proposal, which in no way affects the

actual deficit, will undermine a policy consensus carefully developed over decades, but that is where we are.

So, I would say to my fellow members, the FY 2005 Energy and Water Development bill is a very good bill. It makes major progress on crucial issues. It provides for many activities that are critical to our nation and the world as well as to regions of our country and individual localities and member districts. I think it will give the House a strong position in our conference negotiations with the Senate. It does not fix all problems, but it provides for significant improvements. I strongly urge that it be passed by this House.

Mr. Chairman, I reserve the balance of my time.

Mr. HOBSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Chairman, I want to first compliment Chairman HOBSON for having done an outstanding job in preparing this bill along with his ranking member, the gentleman from Indiana (Mr. VISCLOSKEY). One can tell from the way the markups in the subcommittee and the full committee went that they obviously did their work very effectively and have produced a really good bill.

I wanted to take just a couple of minutes to give the Members a bit of a status report on where we are with appropriations and what they can expect in the next couple of weeks. For example, from the time we received the President's budget request in February until we received the deeming resolution on the budget on May 19, the Committee on Appropriations and our 13 subcommittees held nearly 300 oversight hearings that were very lengthy and very thorough.

Since May 19 when the budget was deemed, there have been 16 legislative days. In those 16 legislative days, the committee marked up eight bills in subcommittee and seven bills in full committee. When we pass this bill today, we will have passed four bills in the House and sent them to the other body.

When we reconvene the week after next, we will mark up two more bills in subcommittee, the District of Columbia and Military Construction bills. We will also consider Military Construction and Foreign Operations in the full committee. So we are preparing a queue of bills to move through the House. We expect to consider the Commerce-State-Justice and the Legislative Branch appropriations bills in the House the very same week that we return and are doing the other markups. We also expect to appoint conferees on the Defense bill, which the House and Senate have passed. We are now preparing to go to conference on that bill. While the House is in the Fourth of July District Work Period, our staffs will be doing the preparation for the conference on the Defense bill. We plan to have that conference report completed and on the way to the Presi-

dent's desk before the August District Work Period begins.

The Appropriations Committee will report all 13 bills from full committee before the beginning of the August District Work Period, and the House will probably complete work on as many as 11 of those bills. There are only 14 legislative days remaining before the summer recess in August, so we have to expedite the consideration of these bills. But the Appropriations Committee, once we had the deeming resolution on the budget, has been going full speed. We hope to pass this bill quickly today and be on our way.

Mr. VISCLOSKEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, in May 2004 the General Accounting Office released a report entitled "NRC Needs to More Aggressively and Comprehensively Resolve Issues Related to the Davis Besse Nuclear Power Plant's Shutdown." The report was requested by me, the gentleman from Ohio (Mr. LATOURETTE), and Senator VOINOVICH. The scope of the report was to examine the failures of the NRC related to the recent troubles at the Davis Besse nuclear power plant.

The report also examined options to improve the Nuclear Regulatory Commission's ability to effectively regulate. The report offers five important recommendations to the Nuclear Regulatory Commission that will greatly improve nuclear reactor safety. I would like to work with the chairman and the ranking member to include language in the conference report that directs the Nuclear Regulatory Commission to follow the recommendations found in the May 2004 General Accounting Office report.

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

Mr. KUCINICH. I yield to the gentleman from Ohio.

Mr. HOBSON. Mr. Chairman, I appreciate the gentleman's statement. I want to assure him that I will work with him to insert acceptable language into the Statement of Managers to accompany the conference report to encourage the Nuclear Regulatory Commission to address the recommendations found in the May 2004 General Accounting Office report.

Mr. KUCINICH. I want to thank the chairman and the ranking member for their assistance to resolve this matter.

Mr. HOBSON. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, I wish to engage the chairman of the subcommittee of the appropriations subcommittee in a colloquy.

Mr. Chairman, I thank the gentleman from Ohio for bringing a bill to the floor that is responsible and yet still attempts to address the many water-related infrastructure needs throughout the Nation. I am concerned, however, with the prohibition on any new

starts in this bill, including new studies contained in title I of the bill. In the past 2 years, there has been severe flooding along the Wabash River in my congressional district. The Tippecanoe River and the Wabash River merge just above the greater Lafayette region. During the 2003 Labor Day weekend floods, more than 150 people were forced from their homes. During the more recent floods over the Memorial Day weekend, which were much more widespread, roads, culverts, bridges, and homes were significantly damaged.

In both instances, the President declared the flooding a national disaster, making flood victims eligible for FEMA grants and loans. Thus far, over 240 families have applied for assistance after the 2004 flooding. I had requested funding through the Army Corps of Engineers to assist in preparing a master plan for flood damage reduction and control associated with the Wabash River. This master plan would also help with economic redevelopment of the riverfront area of the greater Lafayette region affected by river flooding. Because of the new start prohibition, the funding is not included in this measure.

Mr. Chairman, I understand the difficult budget pressures on the subcommittee, but I ask that the gentleman work with me to ensure that consideration is provided for this worthy endeavor in the future.

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

Mr. BUYER. I yield to the gentleman from Ohio.

Mr. HOBSON. Mr. Chairman, I thank the gentleman for his comments. The committee wrestled with the need to balance existing commitments of the Corps of Engineers with new projects such as the Wabash River study in Tippecanoe County. Unfortunately, we were not able to satisfy both demands.

Mr. VISCLOSKEY. Mr. Chairman, will the gentleman yield?

Mr. BUYER. I yield to the gentleman from Indiana.

Mr. VISCLOSKEY. Mr. Chairman, I want to congratulate the gentleman from Indiana (Mr. BUYER), as well, for his dedication on trying to resolve this situation, helping his constituents, and also make note that he has also been in very close coordination with our office so that we can solve this problem. I do appreciate his very hard work on this.

Mr. BUYER. Mr. Chairman, I look forward to working with the gentleman from Indiana (Mr. VISCLOSKEY) and the gentleman from Ohio (Mr. HOBSON).

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Mr. VISCLOSKEY. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank the gentleman from Indiana for yielding me this time. And I rise to thank the gentleman from Ohio (Chairman HOBSON) and the gentleman from

Indiana (Mr. VISCLOSKEY), ranking member, for their cooperation on the issue of the Delaware River deepening. We have many friendships in our Delaware River region. We have a friendly disagreement about what to do with this project. I believe this project is the wrong thing to do for the taxpayers. The GAO has told us that for every dollar that we invest as federal taxpayers, we would only get back 43 cents. I think the project is wrong for the environment.

It will stir up potentially toxic substances on the bottom of the river and create an enormous disposal problem, and I think it is unfair the way the dredge spoils are going to be disposed.

The committee has heard our concerns and placed into this bill a very minor amount of funds that permits us in the region to work out our differences. I continue to strongly oppose the project and want to thank the committee for its assistance in this matter. I also want to thank the gentleman from Pennsylvania (Mr. HOLDEN), who has been a strong and active voice against this project. He has stood firmly for the concerns of his constituents so they are not dumped on. He has been a very worthy ally, and I want the RECORD to reflect that I am very pleased with his assistance and very grateful for his assistance in this matter.

I believe this is a wrongful use of federal taxpayers' funds. I appreciate the fact there was a need to put a very small amount in the bill to keep the discussion going, but I want to thank the committee.

Mr. HOBSON. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois (Mrs. BIGGERT) for the purpose of a colloquy.

Mrs. BIGGERT. Mr. Chairman, I thank the gentleman from Ohio (Chairman HOBSON) for agreeing to engage in a colloquy about the efforts by the Army Corps of Engineers to keep an invasive species of fish, the Asian Carp, from reaching the Great Lakes. Preying upon and competing with native species for food, living space, and spawning areas, these voracious fish grow to between 50 and 150 pounds, eat up to 40 percent of their body weight every day, and each female can carry up to a million eggs.

If the Asian Carp reach Lake Michigan, they will devastate the ecosystem of the Great Lakes and endanger the multi-billion dollar commercial fishing industry.

That is why the Army Corps of Engineers built on the Chicago Ship and Sanitary Canal an invisible, electronic fence that repulses fish. Becoming operational in April, 2002, and designed to function for only 3 or 4 years, this demonstration barrier is fast approaching the end of its useful life. Only after the State of Illinois agreed to become the nonfederal sponsor was the Corps able to initiate the planning and construction of a permanent barrier. This permanent barrier is under construction right now.

I wish I could say that these barriers are up and running and ready to halt the spread of the Asian Carp into Lake Michigan, but they are not. Why not? Because the Army Corps of Engineers lacks the necessary funding and authority. The Corps needs \$500,000 to operate and maintain the original, temporary barrier until construction of the permanent barrier is complete and becomes fully operational. The Corps needs additional authority and \$5.5 million to upgrade and make permanent the original temporary barrier to provide redundant protection and to continue repelling aquatic invasive species when the power fails or maintenance is needed.

The Corps needs additional authority and \$3.5 million to reimburse the State of Illinois and other interested parties that have or will contribute to this year's construction of the permanent barrier, which is arguably a national, if not international, project. The Corps needs another \$500,000 to operate and maintain the permanent barrier so improvements can be made to the original, temporary barrier to make it permanent too.

Finally, the Corps needs additional authority to operate and maintain at full federal expense both barriers as a system to maximize their effectiveness.

Mr. Chairman, this additional authority and funding is urgently needed. Just last month the U.S. Fish and Wildlife Service spotted an Asian Carp in the Illinois River, just 21 miles away from the existing temporary barrier and 50 miles away from Lake Michigan. In 1 year alone, the Carp will travel the better part of 40 miles.

I know that the chairman of the subcommittee represents part of a Great Lakes State. I hope that he shares my concern about the spread of this invasive species, and I hope he will do any and everything possible in conference to ensure that the Corps has the authority and the resources it needs to respond quickly to the threat of the fast-approaching Asian Carp.

Mr. HOBSON. Mr. Chairman, will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from Ohio.

Mr. HOBSON. Mr. Chairman, I do share the concerns of my colleague from Illinois. That is why I commit to her and the rest of our Great Lakes colleagues that I will work in conference, I am sure with my ranking member, to see that the Corps receives the funding and authority it needs to complete work on these barriers and have them up and running as soon as possible. I agree we need a permanent redundant protection against the spread of aquatic invasive species between the Great Lakes and the Mississippi River basins and the Federal Government should be responsible for the long-term operation and maintenance of this project of national and international significance.

Mrs. BIGGERT. Mr. Chairman, I thank the chairman for his commit-

ment, and I look forward to working with him to ensure that every precaution is taken to protect the Great Lakes from such a harmful species as the Asian Carp.

Mr. VISCLOSKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to congratulate the ranking member and the chairman of the subcommittee for bringing this important legislation to the floor. And I would like to associate myself with the remarks of the gentleman from New Jersey (Mr. ANDREWS).

First, let me say to my friend from Philadelphia that I understand his desire to have the Delaware River channel dredged for commerce reasons, particularly with the container ships getting larger, but as the gentleman from New Jersey (Mr. ANDREWS), who has been the leader on this issue for many years, has stated, it needs to be done in an economically sound and environmentally friendly manner.

The proposal that is before us is, as the gentleman from New Jersey (Mr. ANDREWS) has pointed out over the years, is not economically sound. The return to the taxpayers is not cost efficient. It does not make an awful lot of sense. The proposal also is not environmentally friendly. One of the proposals to take the dredged material out of the Delaware River and truck it or put it on rail and take it 100 miles northwest to my congressional district to the anthracite coal fields and dispose of it there.

The Army Corps of Engineers should be sensitive to local concerns, whether that be in New Jersey or Delaware or the anthracite coal fields of Pennsylvania. And, quite frankly, the boroughs of Tamaqua and the boroughs of Coaldale in Schuylkill County do not want these dredged materials dumped in their backyard. They have been on record with that at their borough council meetings. They have gone to the State legislature. They have gone to the county commissioners.

Also, I want to thank the chairman and the ranking member for this meager investment of \$300,000. That, quite frankly, I believe, will stop this project and not allow it to go forward.

So I again thank the chairman, I thank the ranking member, and I really want to thank the gentleman from New Jersey (Mr. ANDREWS) for being the leader in this fight over the years.

Mr. VISCLOSKEY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank the gentleman from Indiana (Mr. VISCLOSKEY) for his leadership on the committee and for yielding me this time.

Mr. Chairman, in a few minutes, I am going to be offering a very important amendment to highlight an incredibly valuable program that affects the

Upper Mississippi River basin, the Environmental Management Program. It has been in existence since 1986. It deals with habitat restoration along the river, along with long-term resource monitoring so we can better manage the river basin and the ecosystem. I look forward to being able to continue the work on this important project with the chairman and the ranking member of the committee as we move to conference in dealing with the funding issue.

But right now, Mr. Chairman, I want to recognize and draw attention in this Chamber to a very important and fun event that is going to occur in the Upper Mississippi River over the next week. It is the re-creation of the Grand Excursion that occurred there 150 years ago. The Grand Excursion is regarded as one of the greatest promotional trips ever devised in our Nation's history, one that changed the face of the Upper Mississippi River forever. In 1854, the Chicago and Rock Island Railroad became the first railroad to reach the Mississippi River.

To celebrate, the owners and contractors for the railroad proposed an excursion for a select group of stockholders, friends, and family. But word spread quickly about the occasion, resulting in a 1,200 person entourage traveling from Rock Island, Illinois, to what is now known as Minneapolis, Minnesota. It was the Grand Excursion of paddle boats up the Mississippi River.

My district in Western Wisconsin has more miles along the Mississippi River than any other district and will play host to this excursion coming through our communities over the next week.

According to the Chicago Tribune, the excursionists were considered "the most brilliant ever assembled in the West." Statesmen, historians, diplomats, poets, newspaper editors. As the media wrote home to their newspapers, word spread about the wonders of the Nation's "dark interior."

This event turned into an opportunity to show some of our Nation's most influential people the fantastic beauty, numerous resources, and the unlimited opportunities that the Mississippi River and the West could provide. The year after, steamboat traffic along the Upper Mississippi River doubled, flooding the region with new settlers. The Grand Excursion also brought millions of dollars of investment to the area and positioned the Upper Mississippi region as a dominant force in the development of the Nation in the 19th Century.

The Grand Excursion of 2004 is an opportunity now to draw awareness from around the Nation and around the world about the recreational, the commercial, and the environmental opportunities that the Mississippi River and all its communities provide. In addition to the "Grand Flotilla," the re-tracing of the Grand Excursion's journey by trains, paddlewheelers, and steamboats, over 50 communities along the 419 mile route will hold festivals

and educational events to commemorate their 150th anniversary. Those who are unable to participate firsthand in the celebrations will be able to experience the excitement through the dynamic Web site that has been created.

I wish the participants of the Grand Excursion much fun and success in the upcoming week.

Mr. VISCLOSKY. Mr. Chairman, I yield 4 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I would like to thank the gentleman from Indiana (Mr. VISCLOSKY) for yielding me this time.

While we do not agree on the issue that I will be speaking on, he is a very good friend and a very good Member of Congress, and I appreciate his courtesy today.

I would like to begin by thanking the Committee on Rules for not allowing language that would have allowed budget gimmicks to pay for the Yucca Mountain Project.

I strongly oppose funding for the proposed Yucca Mountain Waste Repository. There is no single greater threat to the health and safety of Southern Nevada residents than the Bush administration's plan to dump high-level nuclear waste in the Silver State. The Nuclear Waste Technical Review Board, not a friend of the State of Nevada, has said that there is no question that canisters stored in Yucca Mountain will corrode, allowing deadly nuclear waste to escape and contaminate water supplies.

Listen to the language of the Nuclear Waste Technical Review Board. They said the canisters will leak and deposit thousands of tons of radioactivity into the groundwater at Yucca Mountain.

Decades of scientific study have failed to answer even the most fundamental questions about Yucca Mountain's ability to withstand earthquakes, volcanic activity, and now perhaps more immediate coordinated terrorist assault.

No plans have been put in place to address the risks that will be created by thousands of shipments of nuclear waste, traveling past schools, hospitals, churches, and through communities across 43 States in this country, across hundreds, literally hundreds, of congressional districts, to be buried in a hole in the Nevada desert. One terrorist strike or accident involving a load of high-level nuclear waste could seriously injure or kill those living nearby and cause millions of dollars of environmental damage.

Who will pay for this damage? Who will pay for the loss of property? Who will pay for the environmental damage? Who will pay to clean up the spill? Who will pay for the loss of life?

Fire and police departments are unequipped and untrained to deal with the hazards presented by nuclear waste, and no study has been completed to date on the vulnerability of shipments to a 9-11 terrorist-type attack.

I would also remind my colleagues that despite the administration's approval of Yucca Mountain, a license to construct the repository has yet to be issued, and with close to 200 scientific and technical questions left unanswered, the project is in real danger of collapsing as a result of a long list of problems that have been identified and remain uncorrected.

And if the Members want to have a chilling conversation, I invite them to speak to the representatives of the GAO, who did an exhaustive 10-month study and determined that there are over 200 remaining scientific and technical problems to work out before this project can be approved.

The State of Nevada has filed numerous lawsuits that are now pending in federal court which raise serious questions about the legality of DOE's design for the repository.

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It is sloppy science. The State of Nevada would also like to recover the oversight funding stripped from the State of Nevada. So we do not even have the money to protect our own people.

Rather than waste one more cent on this dangerous and ill-conceived project, it is time that we put the health and safety of all Americans above the profits of the nuclear industry. Transporting nuclear waste to Yucca Mountain will require decades of shipments that will leave our communities vulnerable to accident and will provide inviting targets for would-be terrorists.

It is beyond comprehension that the Members of this body would accept this. I urge Members on both sides of the aisle to reconsider their position and vote against this ridiculous, expensive, dangerous project.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Chairman, I thank the ranking member for yielding me time to discuss an issue of great importance to my constituents and to America's security. First, however, I want to offer my thanks to the chairman and the ranking member for their work and leadership on this bill.

As many of my colleagues who have DOE facilities in their district know, there is a significant backlog of applications for employee security clearances, especially those known as Q clearances. Many qualified and capable trade workers are unable to start work on a timely basis or sometimes are not able to work for the national laboratories at all. That means the jobs important for our national security are not getting done. It also means that citizens living near the national laboratories are not afforded the economic opportunities that should be made available to them.

Although I recognize the difficulties the investigative agencies face in processing security clearances in light of

September 11, the backlog has existed long since that tragic day, and this situation must be addressed.

The DOE reports that Q clearance processes are taking at least twice as long as they should, and stories on the ground indicate that people are waiting over a year for a clearance that should be completed in no more than 75 days.

I would like to clarify that the main reasons for the backlog exist not in DOE, but instead in the investigative agencies responsible for doing the background checks. Regardless, it impacts DOE directly, so Congress may choose to try to solve this problem through the energy and water spending bill. For example, perhaps we need to direct more funds towards programs such as the little known Accelerated Access Authorization Program, or the "Triple-A P." This program offers qualified applicants the opportunity to get an interim Q clearance and get to work while their full clearance is being processed. This program demonstrates that there are innovative solutions out there. But obviously the small numbers of workers that are able to process this will only scratch the surface.

Mr. Chairman, I hope that the chairman and ranking member are willing to work with me to find solutions on this serious problem.

Mr. HOBSON. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee (Mr. WAMP), the vice chairman of our committee.

Mr. WAMP. Mr. Chairman, I would like to engage in a colloquy with the distinguished chairman, and I appreciate very much his fielding it, for a clarification on some language in the report.

Mr. Chairman, is it your understanding that the language under the fusion energy section of the report dealing with the additional funds for development of "compact Stellarator Experiment" should actually be "experiments" plural?

Mr. HOBSON. Mr. Chairman, if the gentleman will yield, yes.

Mr. WAMP. Mr. Chairman, reclaiming my time, I thank the gentleman for the clarification.

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the ranking member and chairman for their work on this bill.

Mr. Chairman, let me raise an issue of concern for my constituents. I appreciate very much the funding for the Army Corps of Engineers, but let me express my disappointment that we have not been able to stretch the dollars to provide work on new projects. I am speaking particularly about Sims Bayou, Greens Bayou, White Oaks Bayou and Braes Bayou.

More importantly, having worked on legislation dealing with inland flooding, I can tell you that we probably have now received more rain in this period of time in Houston and other re-

gions than any other years. Flooding is a very serious issue in our community, and I would look forward to working with this appropriations subcommittee through conference to be able to provide some greater assistance.

Mr. Chairman, might I also acknowledge my concern on the funding for nonproliferation in nuclear weapons. I wish we had been able to include more dollars in that area.

Mr. Chairman, I hope to be able to work with this committee in its very fine work to increase the resources for these very important programs.

Mr. Chairman, I would like to commend the chairman and ranking member of the Energy and Water Subcommittee of the Appropriations Committee for their excellent work on crafting this bill. There are several elements of debate between the majority and the minority, and between the House and the administration, but in general it seems that fair compromises have been reached.

The bill before us could have been improved by some incorporation of some of the good amendments offered by my colleagues from the minority side. Several of those were ruled out of order, but as we all know, when desired, points of order can be waived if true bipartisanship is desired by the majority. Those amendments could have made this Nation less dependent on foreign sources of fossil fuels, and could have improved fairness for consumers gouged by high energy costs. But there is much common ground reflected in the bill. I look forward to working with the chairman and the ranking member, to ensure that the funds provided in H.R. 4614 get to critical water supply and flood control programs in my district and around Texas.

Such programs greatly enhance the lives and security of my constituents. I am pleased that the Appropriations Committee rejected the administration's proposal to cut water project construction by the Army Corps of Engineers, by eliminating \$100 million and 41 current projects. I support the \$4.8 billion provided for the Corps, 15 percent more than the President requested. This is a smart investment. I wish there could have been added funds for new projects. Obviously, the needs of this Nation change on a daily basis. Saying that this year, we will not start any new projects is a bit illogical. New projects are extremely efficient in job creation. There are many competitive projects across the Nation and in my district, which should have been provided for. However, at least this bill is not a step backward, like the administration requested. I commend the committee for their leadership on this issue.

One portion of the bill I am concerned about is the underfunding of the National Nuclear Security Administration (NNSA), \$21.5 million less than the president's request. I understand that some of this withheld money would have gone to the "robust nuclear earth penetrator." I agree with the Committee that we need to think long and hard before we start creating new nuclear weapons, when we are pushing the rest of the world to put aside such implements of violence and destruction. We are being accused on every front of employing double standards: as we march to war and talk about peace in the Middle East; as we spurn our own neighbors in Cuba but ask people in the occupied territories or in Korea or in South Asia, to forgive and forget; as we talk

about liberating people but allow tens of millions to die from HIV/AIDS in Africa. We do not need to further degrade our own standing as a beacon of liberty and justice by creating such violent and polluting weaponry now. So, I am glad that this bill does not provide for the nuclear earth penetrator. But, I hope we can all work together to ensure that other critical non-proliferation work done by the NNSA will be fully provided for in the years to come.

Through my work on the Science Committee I have come to understand the amazing new technologies on the horizon that will decrease our reliance on foreign sources of fossil fuels, and help preserve our environment for generations to come. It is good to see that this bill has allotted \$3.6 billion, 5 percent more than the administration requested, on Science programs. However, of the energy research out there, hydrogen fuels and fuel cells are some of the most promising areas that need to be developed. The Science Committee has encouraged strong support of these programs, and the administration also has recognized the value. But this appropriations bill provides for less than half of what the administration has requested for hydrogen technology research. I represent Houston, the energy capital of the world. I understand the needs of this Nation for ample and affordable energy. As gas prices are high, and we are realizing that we are buying too much from people we might rather not be so dependent on, it seems irresponsible to under-invest in these next-generation technologies. Perhaps this is something that can be re-visited in conference.

Again I thank the chairman and the ranking member for their work on this bill. The lagging economy of the past 3 years, and huge deficits that have been created by our fiscal policies, have made budgets very tight. I wish this were not the case. But considering the box we are in, I believe our appropriators have done an admirable job here to fund important priorities and serve the Nation's energy and water needs.

Mr. VISCLOSKY. Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, I thank the ranking member and the chairman.

Mr. Chairman, I rise to raise a concern and to support an amendment by the gentlewoman from California (Ms. ESHOO). I am particularly concerned with recent developments in my home State of California, where consumers are being forced to repay over \$270 million to Enron and other energy corporations amidst growing evidence of Enron and other energy companies' manipulative practices.

The recent release of Enron tapes, where traders openly discuss a manipulation of California power markets to the tune of \$1 million to \$2 million a day, is unfair to all residents of California. Instead of FERC ordering refunds repaid by States, they should step in and investigate, so that western consumers may receive well-deserved refunds for poor service. FERC should also give the American people the right to view all documents related to energy market deception in 2000 and 2001.

Mr. Chairman, the administration continues to give billions of dollars in

tax breaks to special interest oil, gas and coal companies that are doing nothing to help lower fuel prices, instead of giving tax breaks, we need to provide everything possible to help consumers in our States and right the wrongs the energy crisis created. I am appalled and dismayed with the administration's coddling of special interests, while leaving taxpayers the task of having to foot the bills for years of wrongdoing by Enron and other corporations.

The refunds my home State is forced to pay reward market manipulators for predatory pricing activities. As legislators we should punish, not reward, companies who have deceived our citizens.

Mr. Chairman, I urge my colleagues to support the Eshoo amendment.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I thank my friend for yielding me time. I rise for the purpose of a colloquy with the gentleman from Ohio (Chairman HOBSON), the manager of the bill.

Mr. Chairman, I understand that the bill does not provide for any new investigations or other projects by the Corps of Engineers. However, as the chairman knows, last year's energy and water bill included \$40,000 for the Corps to proceed with a preliminary restoration plan for South Boulder Creek.

After enactment of the appropriations bill, at the request and recommendation of the Corps, the project was moved from section 206 to programming as a General Investigation Study. The President's budget then proposed an additional \$100,000 for this General Investigation Study. I regret that money for that purpose is not included in the bill because recent technical analysis shows that some 2,500 homes in the study area are subject to possible flood damage.

Mr. Chairman, I am concerned about how interruption of funding could affect this project and the people who live in the area.

So, I would like to ask whether the chairman would be willing to work with me as the bill goes to conference to try to enable the Corps to do its work.

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

Mr. UDALL of Colorado. I yield to the gentleman from Ohio.

Mr. HOBSON. Mr. Chairman, I will agree to work with the gentleman on this as the bill goes to conference, but I want to remind him, though I am sure this study deserves to proceed, the fact is that not all deserving new studies can go forward at the same time.

It is one of the basic cornerstones of this bill that we tried to limit projects and studies until we finished some of the things we have already started. There has been a lot of criticism of the Corps that it does not get things done and costs get out of line. What we have tried to do is limit the new starts.

But I want to assure the gentleman that should the door open and new studies in conference are available, we will take another look at the merits of the Boulder Creek study.

Mr. UDALL of Colorado. Mr. Chairman, reclaiming my time, I thank the chairman.

I would like to ask the same question of the distinguished ranking member.

Mr. VISCLOSKY. Mr. Chairman, will the gentleman yield?

Mr. UDALL of Colorado. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, I assure the gentleman I will join the chairman in reconsideration of this project if the opportunity presents itself.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Chairman, I am very disappointed in my Republican colleagues on the Committee on Rules who did not allow the House to consider an effort to get refunds from Enron for our consumers. But, nonetheless, I want to rise to defend the Republican Vice President of the United States who this morning is taking some criticism and grief because he used some non-king's English on the floor of the Senate while discussing Halliburton.

I wanted to put that in context, because, you know, that happens to people sometimes when they get angry. For instance, when my consumers open up their power billings in Snohomish County, Washington, and find out they have gone up 52 percent because Enron has stolen millions of dollars from them, sometimes they think, if not say, an expletive.

Sometimes when people find out that millions of dollars were stolen from them, but FERC refused to lift a finger to help them get their money back, sometimes my constituents at least think for a moment of using something that is not in the dictionary.

Sometimes when my constituents find out that this administration refused to lift a finger to help the West Coast as we were going down in flames, sometimes my constituents think about using language that is not acceptable in Sunday school.

And sometimes when my constituents find out that when we went on a bipartisan basis to the vice president of the United States and begged him to help us solve this problem, because 32 percent of all the generating capacity was turned off at the moment that the stoplights were out in California, and he looked at us, and obviously someone was gaming the system, obviously the Enrons of the world were manipulating the system, obviously there were violations of Federal law, he looked at us and said, "You know what your problem is? You just don't understand economics."

Well, we do understand economics. We just do not understand Enronomics, and we do not understand how this administration could turn its back on Americans.

We should forgive the Vice President for his momentary lapse, but we should never forgive this administration for failing to stand up to Enron.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Chairman, I thank the gentleman for yielding me time to speak on this very important legislation.

Mr. Chairman, I rise today with very great concern for the future of our beaches. Beach tourism contributes \$260 billion to the United States economy every year. The administration's fiscal year 2005 budget, unfortunately, cuts shore protection projects and studies by nearly 50 percent. Now, this includes canceling the Fire Island to Montauk Point Reformulation Study, a project that provides storm protection and beach erosion control along an 83-mile portion of Long Island's south shore.

An estimated 11.3 million people visit Suffolk County's beaches every year. In Suffolk County alone, south shore beaches contribute \$256 million to the regional economy and thousands of jobs.

The Fire Island to Montauk Point Study is over 4 decades old and \$20 million in the making. Completing this nearly completed study is a top concern for thousands of homeowners and beachgoers in my congressional district.

This is like bringing the ball 99 yards downfield, putting it on the 1 yard line, and walking away.

The Army Corps of Engineers has recognized on Fire Island that it must work with different groups and associations, from homeowners' associations to environmental advocates. The Corps has utilized a process called project reformulation to build support among all agencies, governments and interest groups involved, and each of those groups recognizes that reaching an overall consensus is the best way to preserve this national treasure for future generations.

The U.S. Army Corps of Engineers has agreed to work with the Senate Committee on Appropriations to ensure the continuation of the Reformulation Study.

I want to express my very deep appreciation to the ranking member for his commitment to support the Fire Island to Montauk Point study in conference. As this legislation moves forward, I encourage all of my colleagues to continue working to protect our beaches and support a \$260 billion contributor to our Nation's economy.

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Mr. VISCLOSKY. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, like many of my colleagues, I was disappointed that the Republican majority would not accept the Eshoo amendment to even be offered to the Members of the House as we had requested of the Committee on Rules. This will certainly come as a disappointment to Western families.

As everyone knows, in the year 2000 and 2001, energy companies like Enron ruthlessly gouged Nevada, California, Washington and Oregon. Yet for too long, this administration and the Federal Energy Regulatory Commission tried to hide this reality from Congress and the public.

In fact, energy Secretary Spencer Abraham dismissed the whole matter as a myth. Vice President CHENEY met with all of us and said it is overzealous environmental laws that are causing this problem. He did not tell us that at the same time he was meeting with Enron officials in the capacity as chairman of his energy committee, and he would not tell us who else he met with, because now even the Supreme Court has allowed him to continue without disclosing that information for a while.

Price gouging occurred in both 2000 and 2001. Yet FERC has said it only intends to grant refunds for gouging that occurred in October 2000 and thereafter.

The Eshoo amendment would have required FERC to issue refunds whenever the gouging occurred, whether the misconduct occurred before or after October 2000.

This is only common sense. A law breaker is a law breaker regardless of when the law is broken, and the people who have lost their funds and demand a refund as a result of this manipulation are entitled to it.

Without the Eshoo amendment, FERC will continue to settle cases behind closed doors for only pennies on the dollar. Without the Eshoo amendment, Western families stand to lose billions of dollars in legitimate refunds.

However, today, the House is going to agree unanimously to a small part of the Eshoo amendment, and that is to require FERC to turn over and reveal the documents and other evidence that they have about the misdeeds of Enron and other energy companies.

This is a positive step, but the real test will come to see whether the Republican majority will make sure that FERC now lives up to this directive. I am disappointed we did not go further. This is a small step forward, but the point that I want to underscore is that justice is not being done.

Mr. HOBSON. Mr. Chairman, I yield to the gentleman from California (Mr. OSE) such time as he may consume.

Mr. OSE. Mr. Chairman, I thank the gentleman from Ohio (Mr. HOBSON), and I thank the chairman.

I find it interesting to come to the floor today virtually 3 years on to discuss the issue of energy in California.

Frankly, I have spent my entire chairmanship on the Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs dealing with energy issues, in particular the California issue.

We have heard a lot of talk about certain companies manipulating market behavior, and the transcripts clearly indicate that that is the case. The question that we ought to ask is what were the precursor conditions that led to that. I think that is a fair question. I mean, instead of treating the symptoms, let us treat the root cause of the issue; and the fact of the matter is that for all the complaints that might be registered against the current administration, the same requests being registered with them were registered with the previous administration. And in accordance with the law, the previous administration said there is not a thing we could do.

Go back and check the record. I encourage you to do that. Go back and see how many requests were made of the Clinton-Gore administration to intervene on this issue, and you will find that Clinton-Gore routinely and regularly said the law is very clear, and we cannot intervene. And the law has not changed. The law has not changed in terms of how FERC can intervene on these things. I think that is an important point to make. So if you are going to complain about how the law is interpreted, perhaps we ought to first look at the law itself and change that.

Now, the second thing is that in California there is this interesting mix in terms of how the energy markets are regulated. And California being kind of like the big market in the entire United States, the consequences of how the market in California operates have ramifications for Oregon and Washington, Nevada and Arizona and the rest of the country.

Well, in California the ability to build new plants or price the product is controlled by what is called the Public Utilities Commission, and in California at the very onset of this electricity crisis, a request was made of the Governor to ask the Public Utilities Commission to provide the investor-owned utilities, PG&E and Southern California Edison and Semptra in San Diego, the ability to forward contract for delivery of power.

There is a letter on record sent from the assembly Republicans to the Governor asking him to exercise his authority over the PUC and get this forward contracting ability in place. And you know what the Governor did? The Governor never responded. He did nothing.

The consequence of that is that the investor-owned utilities were left defenseless. Under a set of rules adopted unanimously by the California legislature, that effectively forced them into the day ahead of market. In other words, they had to go into the market no more than 24 hours ahead of time and buy the power for their customers.

Now, think about that. Do you buy your mortgage 24 hours ahead of the time when you occupy your house? No, you do not. Do you buy your gasoline or your food or your health care insurance, do you buy that 24 hours ahead of the time when you need it? No, you do not, because the price is not going to be very favorable. And yet the structure in which the California Public Utilities Commission set this up was such as to be self-defeating, and to now come forward 3 years on and complain about the circumstances that existed in California is somewhat interesting to me at best.

Now, there is a demand and supply imbalance in California. The demand and supply imbalance in California has ramifications for the folks in Oregon and for the folks in Nevada and for the folks in Arizona and Washington, because the demand in California is so great that we will suck up every kilowatt of power that is anywhere in the market. We will not let our families and our factories go quiet or be without power, and the price will act accordingly.

Now, there was a proposal that I put forward to allow FERC to immediately assess the impact of inappropriate behavior, rather than waiting for 60 days. I got no cosponsors from that side of the aisle for that. There is a proposal I put forward that eventually led FERC to a solution in terms of the pricing imbalance in California that allowed FERC to set overall prices in the marketplace at the last marginal pricing unit. I not only did not get any cosponsors from that side of the aisle; I got attacked from that side of the aisle. And now I find, interestingly enough, that is exactly the proposal my Democrat colleagues all are putting forward.

Mr. Chairman, we cannot solve these problems by snapping our fingers. These are not things that get solved 24 hours beforehand. We can no more solve this problem in 24 hours' time than we can reasonably expect investor-owned utilities in California or anywhere else to be able to meet their power demand in a 24-hour-ahead market. We cannot do it. We have to plan ahead.

Now, to come out here 3 years on and beat your chests about the behavior of the current administration, which is exactly the same as the behavior of the previous administration that you all refused to hold accountable, I mean, that is just unacceptable. Now, you can go on and do it, but the facts of the matter speak very loudly.

I invite you, and I have invited you, to look at the bills that I have put forward. I have been harangued by some of you; and upon examination, you have not even read the bills that I have put forward to try and solve this problem. I invite you to come help us. We are looking for partners to solve this thing.

There are three legs to this solution. The first is the PUC, which has yet, has yet to adopt the regulation in allowing

investor-owned utilities to contract for forward delivery of power. That is the first leg. The second leg is to allow the construction of new facilities instead of defending these dinosaur facilities that are high-polluting, using coal, or oil, or diesel for power generation; the second leg of this is to allow new technology to come to the market. But you stand over there and you object to everything. You stand there like Horatio at the pass, and you will not let us into the Valley of Solutions.

I ask you to stand next to us, not in front of us objecting or preventing us to move forward. I will tell my colleagues why. Because the facilities we can bring on line today with new technology, created in California, perfected in California will allow us to generate power with less adverse impact on the environment at lower price, at a higher efficiency. It is unfathomable to me, after 5½ years, the last 3½ years of which I have been chairman of a subcommittee, to find that my friends who happen to live in California with me are only now coming to look at this solution. And the path of solution that they propose is to beat their chests, attacking an administration which did exactly the same thing as the previous one.

Mr. Chairman, I ask my colleagues in California to look at these solutions. We need to give these investor-owned utilities the ability to forward-contract for power. That is a huge step in the right direction. We need to create the new facilities that use natural gas and far less polluting carbon-based power sources to provide us the energy for our homes and our factories. We need to find a way where we can talk sensibly about a market-based solution.

My Democrat colleagues cannot come down here and beat their chests in 2004 because it is a Presidential election year and try and rewrite history. Governor Davis tried that, and now he is writing his memoirs. That is just the fact. I am not interested in you guys writing your memoirs. I am interested in you joining with us to find solutions. That is what this is all about.

I am not going to be here a year from now. You all are going to have this in your lap, and you are going to have to deal with it. I am going to be out in California dealing with the consequences. But I ask you to please focus on solutions.

Mr. Chairman, I say to the gentleman from Ohio (Chairman HOBSON), he has been a mentor of mine and he has done heavy lifting across this country on energy issues, and I thank him. The CHAIRMAN pro tempore (Mr. UPTON). The gentleman from Indiana (Mr. VISCLOSKEY) has 2 minutes remaining; the gentleman from Ohio (Mr. HOBSON) has 8 minutes remaining.

Mr. VISCLOSKEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I thank the distinguished ranking member for yielding me this time.

Since my friend from California would not yield any time, I just would like to set this down for the record. The amendment relative to the previous question this morning had solutions in it. We are now in the year 2004. We do not need any more debates about the markets. The energy companies have essentially signed confession slips on this. So let us not go back to 1999. We now have evidence.

That is why we are saying the FERC should order refunds. The gentleman, by voting for the previous question, he turned down the solution of refunds. Let us make that very clear here this morning.

Mr. PORTER. Mr. Chairman, I rise today to voice my opposition to the funding of the Yucca Mountain project in the Fiscal Year 2005 Energy and Water Appropriations Bill. As you know, the Yucca Mountain issue has for over two decades been of intense personal interest to me and my Nevada constituents.

Currently, the Yucca Mountain project is being fought in the halls of justice, and no more tax dollars should be allocated to this project until the courts have provided their input which I believe will be favorable for Nevada. Furthermore, nearly 200 key scientific questions remain unanswered by the Department of Energy and the facility has yet to obtain a license from the Nuclear Regulatory Commission. At a time when the project is facing potentially insurmountable licensing obstacles, why would we want to spend another dime on this ill-thought plan?

Any assessment of Yucca Mountain's suitability as the national nuclear waste repository must look at the feasibility of transporting waste to the site. Taking 70,000 metric tons of dangerous radioactive nuclear waste, removing it from reactor sites around the country, and putting it on trucks and trains and barges, and moving it through cities, towns and waterways across America is a disastrous scheme. This highly hazardous material will ultimately travel through 43 States and pass by more than 50 million Americans who live within 1 mile of the proposed transportation routes.

As many of you are aware, a GAO report concluded that the risk of an accident during nuclear waste transport is low and that even if an accident or terrorist attack were to occur, the potential for widespread harm is low. However, the GAO characterizes irradiated nuclear fuel as "one of the most hazardous materials made by man" and recommends that shipments be minimized.

Mr. Chairman, it's just not worth the risk to transport 70,000 metric tons of nuclear waste across our nation. Even with Yucca Mountain, there will continue to be nuclear waste stored at all operating reactor sites. All of this is completely unnecessary. Nuclear utilities can and do store waste safely on site at reactors. In fact, the very same storage technology that is planned to be used at Yucca Mountain is currently used at reactor sites around the country. No reactor in the United States has ever closed for lack of storage.

As a legislator, like all of you, I need to be fully informed about the effects legislation and issues will have on my constituents. The multiple risks associated with transporting large volumes of nuclear waste over long distances to Nevada cannot be justified. You are being asked to risk the health and safety of your

constituents for a scheme that will leave this country looking for another nuclear waste storage in the decades to come.

At the end of the day, all Yucca Mountain will do is create one more large storage facility and millions of new security threats, one for every road, rail, and water mile this waste will travel along. On September 11, we witnessed the single-most horrific event in our nation's history. Instantly we became all too aware of our country's vulnerability to threats from outside our borders. Transporting tens of thousands of tons of nuclear waste across the country was not a good idea before September 11, and it's certainly not a good idea now. We had never thought of a fully fueled passenger plane as a weapon. Let's not make the same mistake with the trucks, trains, and barges that will be transporting nuclear waste.

Mr. SHAYS. Mr. Chairman, I strongly support H.R. 4614, the Energy and Water Development Appropriations Act for Fiscal Year 2005, which contains funding for four important dredging projects in my district.

The maritime industry in Connecticut has enormous potential and these projects play pivotal roles in that industry.

With these much-needed funds, the Army Corps of Engineers will be able to advance dredging projects in Bridgeport, Norwalk and Southport Harbors, as well as Mill River in Stamford, ensuring our ports remain viable for recreation and commerce.

Long Island Sound is a valuable resource to our state both environmentally and economically—providing a watershed for 10 percent of the American population and contributing \$6 billion annually to the regional economy—and it is critical we treat it well. Dredging is necessary to maintain the Sound's safe navigation and long-term viability and vitality.

In Bridgeport, the funds will support efforts to find an environmentally sound disposal method for toxic sediment in Bridgeport Harbor. The harbor has not been dredged for 40 years due to contaminants in the dredged material that would be unsuitable for disposal in open water and the result is a shallow harbor, which restricts commercial viability.

In Norwalk, the money will allow the Army Corps of Engineers to complete the necessary planning to begin dredging Norwalk Harbor. Norwalk Harbor Federal Navigation Project has not been maintained since 1981. The channel's depths have become so low that the passage of commercial and recreational vessels is restricted to the point that public safety and the viability of water-dependent businesses have been adversely affected.

The funding for Southport will be used to dredge Southport Harbor, which has long served as a center of boating activity in western Long Island Sound and as a vital centerpiece of a historic district included on the National Register of Historic Places. The Southport Harbor FNP has not been maintained since 1962 and consequently the navigability is restricted by shoaling in a number of locations.

In Stamford, the funding will be used for a design project to address ecosystem restoration, sedimentation, and dredging issues at the Mill River. The Mill River ecosystem has been severely degraded by years of polluted urban runoff, thwarting public enjoyment of the resource and threatening its natural values. The funding will assist a multi-year effort to restore the shoreline and aquatic ecosystem of the

Mill River, acquire and preserve shoreline properties, reduce polluted urban runoff into the Long Island Sound, foster commercial and ferry navigation, and create public recreational facilities and other mixed-used development.

Bridgeport, Norwalk, Southport and Stamford desperately need this money to continue, or complete, essential dredging projects that will help alleviate the state's transportation issues while benefiting our state's economy and mitigating air pollution. I am grateful these critical funds are included in H.R. 4614 and am hopeful the House will approve the bill today.

Ms. MCCARTHY of Missouri. Mr. Chairman, I rise to address H.R. 4614, the FY05 Energy and Water Appropriations bill. Although I am pleased that this legislation includes funding for a number of important water projects in my district, including the Blue River Channel, Blue River Basin, Swope Park Industrial Area, Brush Creek Basin, Seven River Levees, and the Missouri Riverfront Habitat Restoration, I continue to have serious concerns about the overall level of funding in this legislation.

In particular, today's legislation provides only 3% more funding for critical energy and water projects than was provided in FY04. This is barely enough to account for the rate of inflation. Because of this shortage of funding, H.R. 4614 does not include any funding for new projects or studies, leaving us unprepared to properly respond to new flood control emergencies. In my own district, \$100,000 is urgently needed to begin addressing critical flood and stormwater control issues surrounding the Little Blue River watershed in Jackson County, Missouri. Rapid growth in this area has created numerous flood control and storm drainage challenges for communities throughout my district. Left unaddressed, these flood threats could cost local communities and businesses millions of dollars. We need to act now to adequately investigate and plan for these developing challenges. Delaying action will only force more expensive intervention at a later date. I hope that Chairman HOBSON and Ranking Member VISCLOSKEY will work with our colleagues in the Senate to ensure that these issues and other emerging flood threats are properly addressed in Conference.

This legislation also fails to address our renewable energy needs. The bill provides only \$343 million for renewable energy programs, \$31 million less than the administration requested. During a time when energy prices are soaring, we must remain committed to investments in long term renewable energy alternatives. In my own district, we have had great success encouraging the use of biodiesel as an alternative to dirtier, non-renewable fuel sources. We need to continue our commitment to this important initiative.

Finally, I am very concerned that this legislation fails to guarantee adequate funding for the Yucca Mountain Project. Specifically, I am alarmed that funding does not exist to ensure that all transportation routes to the mountain are as secure as possible. Missouri is a railroad and interstate hub. Given the likelihood that a majority of waste from east of the Mississippi River will be transported through Missouri, it is downright frightening to think of the consequences if we do not properly fund the secure transport of this waste. It is my understanding that the Office of Management and Budget has the ability to secure the additional funding for this project. I am hopeful that they

will take on this responsibility or that additional funds will be found in Conference.

Mr. TERRY. Mr. Chairman, it is with regret that I come to the floor today in opposition to this legislation—H.R. 4614, the Fiscal 2005 Energy and Water Appropriations bill. Unfortunately, this bill fails to adequately address America's future energy needs.

I realize H.R. 4614 is about more than just energy, and it does contain some good provisions. There is funding for important flood control projects, scientific research, nuclear non-proliferation programs, and environmental cleanup.

But this legislation falls well short in the realm of energy, especially in this time of tight energy supplies and volatile energy prices. The most glaring shortfall is that it provides only 14 percent of the amount requested for construction of the nuclear waste facility at Yucca Mountain, Nevada. The administration has stated that the Yucca Mountain facility will need to have about \$1.3 billion a year if it is to meet the 2010 deadline for opening. This bill appropriates only \$131 million for fiscal 2005.

Yesterday, the House Energy and Commerce Committee, on which I sit, overwhelmingly approved legislation introduced by Chairman JOE BARTON (H.R. 3981) that would dedicate the next 5 years of receipts in the Nuclear Waste Fund to the construction of the Yucca Mountain facility, keeping the project on schedule. The Barton bill would also ensure that the fund would be used only for Yucca Mountain and not diverted by appropriators for other purposes.

Chairman BARTON's legislation should have been attached to H.R. 4614. That was not permitted, and now this energy and water bill risks delaying the Yucca Mountain project—22 years after Congress first called for the creation of a single, secure repository for the Nation's spent nuclear fuel. Furthermore, it casts doubt on the growth of nuclear power, the cleanest, most abundant form of energy America has today.

My state of Nebraska is home to two nuclear power plants that provide almost a third of the electricity produced in our state. To date, Nebraskans have paid more than \$216 million into the Nuclear Waste Fund. Yet our public power utilities are being forced to build additional storage space for spent fuel because we are still without a national repository. In fairness to the ratepayers, we must keep the Yucca Mountain project on track for completion by 2010.

The Yucca project is also essential to our security concerns. Today, 50,000 tons of spent nuclear fuel are scattered across the country, at 131 sites in 39 states—including Nebraska. Oftentimes, these storage sites are near major cities and waterways.

Billions of dollars from U.S. electric consumers have already been invested in Yucca Mountain. It is the most suitable location for this repository. And with today's tough environmental standards and surging demand for electric power, nuclear energy must continue to play a substantial role in the Nation's energy portfolio. The bill on the floor today fails to recognize this.

I want to make it clear that I have objections to this bill beyond the funding for Yucca Mountain.

Under H.R. 4614, renewable energy resources are shortchanged by \$31.5 million,

about 9 percent less than the President's request. I am especially disappointed that the bill provides less than half of what the President wanted for hydrogen technology research, about \$31 million (48 percent) under the requested amount.

Funding for hydropower is \$1 million (20 percent) under the administration's request. And the measure provides \$15.5 million (20 percent) less than requested for the Office of Electricity Transmission and Distribution, the newest division of the Department of Energy, which is leading efforts nationwide to modernize and expand our electric delivery system.

It seems the appropriators chose to ignore the energy challenge facing our Nation. Or maybe they simply forgot that America today imports 60 percent of its oil supply; that gasoline prices are hovering around \$2; that natural gas supplies are at an all time low; and that just 10 months ago, the worst blackout in our history left a quarter of the country in the dark.

Still, appropriators managed to spend \$28 billion in this legislation—about \$50 million more than the President's request. H.R. 4614 is yet another example of what happens when the appropriators ignore their colleagues who sit on the authorizing committees, hold hearings, conduct oversight, and produce thoughtful legislation. In failing to address the Yucca Mountain issue today, appropriators have essentially overlooked the hard work of the Energy and Commerce Committee.

Congress must address the Nation's outdated energy infrastructure. As a father of three young children and as a Member of this chamber who has long pushed for a modernized energy policy, I cannot in good conscience vote for this legislation.

Mr. BISHOP of New York. Mr. Chairman, I rise in support of this legislation. Given difficult budget choices, and an egregious Administration budget proposal for the Army Corps of Engineers, the Chair and Ranking Member of the Subcommittee have done their best to craft a good bill.

I am particularly pleased that this legislation adequately funds our country's national labs. In this time of budget cuts, we cannot forget that basic science is a building block for scientific innovation and economic growth in the information age. Under this budget, Brookhaven Lab, which is located in my district, will continue to make great contributions in the areas of nuclear physics, structural biology, environmental research and nonproliferation.

This bill also adequately funds environmental cleanup efforts at the Lab vital to the health and safety of residents on the East End of Long Island. I am grateful to the Chair and Ranking Member of the Subcommittee for attending to these vital needs.

I am concerned, however, with one particular project in this bill of vital importance to the south shore of Long Island. The Fire Island to Montauk Point Reformulation study—which covers an 83 mile stretch of Southern Long Island—has been underway for decades at a cost of more than \$20 million. Unfortunately, this bill contains no funding to continue this study.

I understand, however, that the Ranking Member of the Subcommittee is committed to work with me and my Long Island colleagues in conference, to protect any funding included

in the Senate bill for this study. I look forward to the successful and timely completion of this project, and I again thank the Chair and Ranking Member for their cooperation and good work.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I want to thank the gentleman from Ohio (Chairman HOBSON) and the gentleman from Indiana (Mr. VISCLOSKY), the ranking minority member, for the leadership they have provided in putting together this legislation to fund important programs like the Army Corps of Engineers, Dallas Floodway Extension and for continued work on a study of flood control on the Upper Trinity.

I support the fiscal year 2005 Energy and Water development appropriation measure.

Mr. Chairman, in 1998, the voters of Dallas approved the largest bond issue in the City's history, \$246 million, to make improvements to the Trinity River Corridor. There are many aspects to these projects, including transportation, recreation, and economic development. But at its heart, the Trinity River Corridor is about flood control. It is about protecting homes, businesses, people, and property. The flood control protection currently afforded to the City and its residents is simply no longer adequate.

Urban development and growth patterns have occurred that require improvements and extensions to the existing flood control system. These improvements and extensions must be designed, engineered, and constructed in a manner that will not only improve flood control protection for the City and its residents, but will do so in a manner that is sensitive to our other needs.

We must improve flood protection, but we need to be certain that such flood protection infrastructure also enhances our quality of life. The legislation before us includes funding to help assure that the quality of life of the people of Dallas, and our economic vitality, are indeed improved.

This legislation includes \$10 million for the construction of the Dallas Floodway Extension. This will consist of a chain of flood conveyance wetlands and a system of protective levees that will enhance the security of 12,500 structures in the Dallas area.

While I recognize the difficult constraints the Committee worked under in developing this legislation, and appreciate the funding included, I also know it is imperative to the public health and safety of the people of Dallas that this project proceed as quickly as possible.

With that in mind, I do wish to note that it will be my intent to try and secure a total of \$20 million for this project; an amount consistent with the capability that the Corps has expressed for 2005.

This legislation contains \$1.3 million for continued work on a study of flood control on the Upper Trinity as well as additional flood control improvements to the existing Dallas Floodway. This is such an exciting project that should include the development of two flood conveyance lakes within the floodway, along with new wetlands, river meandering, and boardwalks that will serve to unite the City and bring families to the levees, which currently have the impact of, literally dividing our communities.

Mr. Chairman, I appreciate the bipartisan effort that went into the drafting of this legislation, commend that effort as a model for the

way in which this Chamber ought to routinely work, and urge the support of all our colleagues for passage of H.R. 4614.

Mr. EVERETT. Mr. Chairman. I rise today in support of this legislation, but as chairman of the Strategic Forces Subcommittee on Armed Services, I must express my concerns about some of the funding levels for important National Nuclear Security Administration (NNSA) programs that are authorized within my subcommittee. The Fiscal Year 2005 Energy and Water Appropriations bill provides no funds for the robust nuclear earth penetrator (RNEP), advanced concepts, modern pit facility, nor enhanced test readiness. The Fiscal Year 2005 National Defense Authorization bill, which passed this House overwhelmingly just weeks ago, fully funded the President's request for these important initiatives. Furthermore, this elimination of funding for these programs jeopardizes our country's ability to respond to future national security threats, as pointed out in the Statement of Administration Policy. I now include that complete Statement of Administration in this RECORD.

Of particular concern to me is the \$27.6 million authorized in the House-passed bill for RNEP would support the Air Force-led study concerning the feasibility of modifying an existing nuclear weapon to destroy what are known as hardened and deeply buried targets. It has long been recognized that these hardened targets are increasingly being used by potential adversaries to conceal and protect leadership, command and control, weapons of mass destruction, and ballistic missiles. I believe it is imperative that we finish this review as part of a larger effort to ensure that we further our technological edge.

Critics of RNEP say that they are not convinced that this money will only fund a study. This simply is not the case. This funding does not authorize the production of any weapons. In fact, Section 3117 of Fiscal Year 2004 National Defense Authorization Act (Public Law 108-136) clearly states and I quote, "The Secretary of Energy may not commence the engineering development phase (phase 6.3) of the nuclear weapons development process, or any subsequent phase, of a Robust Nuclear Earth Penetrator weapon unless specifically authorized by Congress."

Opponents also point to the NNSA Future Years Security Plan inclusion of \$484.7 million for RNEP in the future. This budget estimation is required by congressional direction, and represents a placeholder should Congress and the President decide to go any further than a study. Without the placeholders by both NNSA and the Department of Defense (DoD) in the out year budgets, if authorized, the start of the RNEP's next phase would be delayed until funding was appropriated. This would nullify the schedule and cost estimates and require the costing and schedule to be redone causing additional taxpayer cost. Moreover, by the statute cited earlier, these funds could not be used for anything other than basic research without subsequent approval by Congress.

Although I plan to support this legislation, as chairman of the subcommittee of jurisdiction, I felt it necessary to set the record straight concerning this program, and I am hopeful that the House/Senate conference will provide a reasonable level of funding for these programs.

STATEMENT OF ADMINISTRATION POLICY

The Administration supports House passage of the FY 2005 Energy and Water Development Appropriations Bill.

The President supports a discretionary spending total of not more than \$819 billion, in addition to the \$2.5 billion in advance appropriations for Project BioShield, consistent with his FY 2005 Budget. The President's Budget responsibility holds the growth in total discretionary spending to less than four percent and the growth in non-security spending to less than one percent, while providing the critical resources needed for our Nation's highest priorities: fighting the War on Terror, strengthening our homeland defenses, and sustaining the momentum of our economic recovery.

Consistent with the need for responsible spending restraint, the Administration urges the Congress to fully fund unavoidable obligations and not to include any emergency funding, including contingent emergencies, unless mutually agreed upon in advance by both the Congress and the Administration. Within this context, the Administration urges the House to fully fund Presidential priorities, such as the Nuclear Waste Repository at Yucca Mountain, NV and the Hydrogen Fuel initiative.

The Administration is pleased that the Committee-reported bill is consistent with the overall \$819 billion discretionary total and looks forward to working with the House to address the following concerns.

ADMINISTRATION PRIORITIES

Nuclear Waste Repository. It is vital to secure nuclear waste now scattered at 126 sites in 39 States in one appropriate underground facility. Further delay increases the costs and security risk of storing materials at these various sites. Therefore, it is imperative that the Department of Energy (DOE) have the necessary resources for licensing and constructing the repository at Yucca Mountain, Nevada. The President's Budget contains a proposal to facilitate the long-term financing for this project and the Energy and Commerce Committee has reported a bill consistent with the proposal. We strongly urge the House to adopt this financing proposal and will continue to work with the Congress to ensure its enactment.

Hydrogen Fuel Initiative. The Administration strongly urges the House to fund the President's Hydrogen Fuel Initiative, which will reduce the Nation's dependence on foreign oil and provide cleaner air. The Committee's \$31 million reduction for fuel cell technologies should be restored by redirecting funds from the Corps of Engineers, which is funded well above the President's request.

National Security. The Administration strongly opposes the elimination of funding for the Advanced Concepts Initiative, the Robust Nuclear Earth Penetrator study, and planning for the Modern Pit Facility. These reductions, if sustained, would diminish the Nation's ability to respond to future national security threats. Once again, this reduction could be restored by redirecting some of the funds from the Corps of Engineers or DOE's nuclear energy research and development program.

ARMY CORPS OF ENGINEERS—CIVIL WORKS

The Administration commends the Committee for focusing the Civil Works program on completing projects already under construction and limiting new starts. These efforts are consistent with the Administration's policy to reduce the backlog of ongoing civil works construction projects. We urge the House to eliminate funding and cancel balances for projects that have low estimated economic or environmental returns or

that are outside the Corps main mission, as requested.

We urge the House to restore funding that is necessary to sustain operations on four nationally significant Corps projects: \$18 million for Columbia River fish recovery to comply with a biological opinion pursuant to the Endangered Species Act (ESA); \$12 million to revitalize the side channels of the Upper Mississippi River; \$8 million for Everglades Restoration; and \$51 million to improve Missouri River habitat and support continued operation of the river in compliance with the ESA. We also request that the House restore \$10 million to the Regulatory Program to avoid delays in the permitting process and ensure effective enforcement.

DEPARTMENT OF ENERGY

The Administration strongly opposes reductions to the National Nuclear Security Administration's (NNSA) Nonproliferation programs to eliminate weapons-grade plutonium production in Russia and to dispose of 68 metric tons of surplus weapons-usable plutonium in the Russian Federation and the United States. The proposed reductions could delay the programs and escalate their costs, thereby damaging critical components of the Nation's comprehensive nonproliferation strategy.

The Administration objects to the bill's reductions to important nuclear stockpile stewardship programs, such as the Life Extension Programs, Directed Stockpile Work, and the science and engineering campaigns. Furthermore, the Committee's restrictive funding controls for the complex Inertial Confinement Fusion National Ignition Facility program may prevent NNSA from achieving the milestones the Congress has directed for the program.

The Administration is concerned with the \$76 million reduction to the high-level waste proposal. The Defense Nuclear Facilities Safety Board has recently communicated to DOE its view that the safety consequences of delaying radioactive waste disposition activities at the Savannah River site are unacceptable. Moreover, the Administration and the State of South Carolina have reached agreement on radioactive waste disposal and underground storage tank closure at DOE's Savannah River site. While we share the Committee's preference for a legislative solution that extends beyond the Savannah River site and are continuing to pursue a consensus with all affected States on such legislation, the funds are crucial to allowing the clean up of the Savannah River tanks.

The Administration rejects the Committee's suggestion to reduce spending on the International Thermonuclear Experimental Reactor in FY 2005, as well as its shift in funding for the Gridwise and Gridworks programs from the Office of Electric Transmission and Distribution (OETD) to the Office of Energy Assurance. OETD was established to provide a single, focused organization to strengthen Federal leadership on electricity reliability.

While we understand the need to restrain expenses for departmental overhead, the funding reductions to the Department Administration account in the House bill would hinder the Secretary's ability to manage the Department.

BUREAU OF RECLAMATION AND THE CENTRAL UTAH PROJECT

The Administration appreciates the Committee's support for fully funding the Water 2025 Initiative and for directly funding the Utah mitigation and conservation activities through the Central Utah Project rather than indirectly through the Western Area Power Administration. However, we urge the House to include the Administration's proposal to make a corresponding transfer of

authority for project mitigation from the Secretary of Energy to the Secretary of the Interior.

TENNESSEE VALLEY AUTHORITY (TVA)

The Administration is disappointed that the Committee did not provide, as the Subcommittee did, the requested appropriation of \$9 million for TVA's Office of Inspector General (OIG) to be derived from the TVA Fund. This proposal would allow the OIG to conduct its duties in a more independent manner, similar to the Inspectors General of other Federal agencies.

CONSTITUTIONAL CONCERNS

Section 501 of the bill purports to limit the use of appropriated funds by the Executive Branch in communicating with the Congress. To the extent this provision would preclude the President or his subordinates from initiating communications with the Congress, it would interfere with the Executive Branch's ability to influence congressional action and would violate the Recommendations Clause of the Constitution. The Administration urges the House to remove this provision or amend it to allow normal and necessary Executive Branch communications.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of H.R. 4614, the Fiscal Year 2005 Energy and Water Appropriation's bill.

First, let me thank the distinguished Chairman of this Committee, DAVE HOBSON, for this work in crafting this legislation. He and ranking member PETE VISCLOSKEY have drafted an excellent bill that focuses on our national priorities.

Mr. Chairman, our country continues to benefit from advances in science, technology and engineering. We've discovered the potential for fusion energy, advanced renewable energy, and improved energy efficiency. Through cutting research and the development of these programs at the U.S. Department of Energy, we are rapidly advancing our scientific knowledge.

Mr. Chairman, I have long supported funding for renewable energy sources. The Committee's investment of \$343 million in renewable energy resources will be integral to creating alternative energy solutions for our nation. The Department of Energy is pursuing other new technologies to meet future energy and environmental needs. These technologies will change how we use and produce energy. The DOE, with this Committee's support, is pursuing a path towards making affordable, safe zero emission fuel cell vehicles.

I am pleased that year after year this Committee continues to recognize the incredible potential of fusion energy by providing a \$12 million dollar increase in funding for a total of \$276 million in funding for the program—which will advance the vital work of the domestic fusion community to prosper at sites such as New Jersey's Princeton Plasma Physics Laboratory.

The Committee also continues to address electricity reliability, of special importance to the East Coast with last summer's blackout. We've included funds for transmission reliability, research and development.

Since 1775 when the Continental Congress authorized the first Chief Engineer—whose first task it was to build fortifications near Boston at Bunker Hill—the Army Corps of Engineers has grown to be the world's largest public engineering, design and construction management agency.

The Army Corps keeps our waterways open for business, prevents our communities from flooding and our beaches from eroding.

In New Jersey alone, the Army Corps budget helps keep the 127 miles of New Jersey coastline open to visitors from across the country. Serving as one of New Jersey's greatest attractions, our beaches generate over 30 billion dollars for our state's economy each year, while providing over 800,000 people with jobs.

One of the most important Army Corps projects is the Port of New York and New Jersey Harbor Deepening. For the second year in a row, President Bush's budget message recognized the dredging of this port as a national priority and called for it to be one of five national navigational projects.

It goes without saying that projects like the Port drive our national economy it is a national secret asset. As the largest port in the northeast and a leading job center for the New Jersey/New York Metropolitan area, we must continue to focus our efforts on deepening its major navigation channels so that the port is able to meet the 21st Century needs of our economy.

The importance of the Army Corps budget is not limited to just navigational projects. In an effort to protect New Jerseyans, their homes, and their businesses from the destruction and devastation of flooding, this bill also provides the framework and the funding to purchase wetlands for natural storage areas, and to work with the local governments in across northern New Jersey to develop long-term solutions to re-occurring floods. In New Jersey this means that projects like the Jackson Brook Flood Control project in my own district and the dredging of the Hudson Raritan Estuary Lower Passaic River Restoration, among several other critical local projects have the funding to remain on track.

Mr. Chairman, for all of these reasons, I urge my colleagues to support this important legislation.

Mr. SIMPSON. Mr. Chairman, I rise in strong support of the Energy and Water bill. I want to commend Chairman HOBSON and the ranking member, Mr. VISCLOSKEY, for producing a bill that should enjoy the support of every single member of this chamber. I am impressed by the way in which Chairman HOBSON and Mr. VISCLOSKEY worked together to produce the Energy and Water bill and you both should be congratulated for the bipartisan way in which you wrote this bill.

This bill is certainly a good bill for my home state of Idaho—and I want to thank the committee for that. But more importantly, this is a good bill for the nation as a whole. It addresses national and international needs by improving our nation's water infrastructure, expanding our efforts to produce more energy for a growing economy, and protecting nuclear materials from falling into the hands of terrorists.

I fully support the Subcommittee's efforts to demand some accountability from the DOE and the Russians regarding our efforts to help secure nuclear materials in the former Soviet Union.

Spending money in Russia and the former Soviet Union to locate, identify and secure nuclear materials is clearly in our own national interest as well as the interests of the rest of the world. However, as I have repeatedly pointed out to Russian officials, I cannot explain to my constituents why we spend American taxpayers' money to secure nuclear materials in Russia while at the same time Russia is planning to cooperate with Iran in their

efforts to develop nuclear energy. In light of recent IAEA statements regarding the lack of openness regarding Iran's nuclear program—Russia must reexamine its position vis-a-vis Iran.

I also strongly support the Subcommittee's continued efforts to limit activities associated with the development of a Robust Nuclear Earth Penetrator. Our nation clearly has many priorities regarding the management of our nuclear stockpile without adding new nuclear weapons to the list.

Finally, this bill fully funds the Federal government's responsibility to cleanup nuclear sites across the nation—including in my home state of Idaho. The bill rejects the DOE's attempt to wall off hundreds of millions of dollars in cleanup funding and provides sufficient direction to ensure the DOE keeps its commitments to States like Idaho and Washington.

Mr. Chairman, I will enthusiastically vote in favor of the Energy and Water Appropriations bill and urge my colleagues to do the same.

Ms. LEE. Mr. Chairman, I rise in support of this bill.

I would first like to thank the Chairman of the Subcommittee, Mr. HOBSON, and the Ranking Member, Mr. VISCLOSKEY for their work in putting together Energy and Water Appropriations Bill.

I also want to thank both of them for including \$35 million in the bill to continue funding the Port of Oakland's 50-foot dredging project in my district in California.

As the fourth largest container port in the country, the Port of Oakland serves as one of our premier international trade gateways to Asia and the Pacific Ocean.

The 50 foot dredging project serves to underpin an \$800 million expansion project funded by the Port that will improve the infrastructure at Oakland by expanding capacity and increasing efficiencies throughout the distribution chain.

Current projections indicated that at the conclusion of the project an additional 8,800 jobs will be added, business revenue will increase by \$1.9 billion, local tax revenues will go up by \$55.5 million, and 100% of the dredging materials will be reused for wetlands restoration, habitat enhancement, and upland use within the San Francisco Bay Area.

I'm glad that the Subcommittee understands the importance of this project, and I look forward to continuing to work with the Chairman and Ranking Member to complete it.

Mr. GREEN of Texas. Mr. Chairman, I rise in strong support of the work that Chairman HOBSON and Ranking Member VISCLOSKEY have done on this legislation. And as always, my colleague Congressman CHET EDWARDS from Texas has been a champion for the significant port, harbor, and flood control needs of the great state of Texas.

The House Subcommittee on Energy and Water has done the best they could with the inadequate allocation for energy and water projects that they have been given. This bill provides \$4.8 billion for the Corps—\$712 million (15%) more than requested and \$252 million (5%) more than this year's level.

Unfortunately the Administration does not often agree on the necessity of investing in water infrastructure.

The Corps of Engineers' work keeping our ports and harbors expanding and maintained is absolutely essential to our national economy. When crafting the U.S. Constitution our

founders recognized the necessity of functioning ports and waterways to interstate and international commerce, so they gave the federal government the responsibility for maintaining the navigable waters of the United States.

Without the proper resources, we will fall behind this Constitutional responsibility.

In particular, I wish to thank the Subcommittee of Energy and Water and its leadership for providing \$24 million in construction general funding for the Houston-Galveston navigation channels and \$14 million for operations and maintenance.

We will try to increase those numbers in conference with the Senate, particularly the operations and maintenance account, which if left underfunded year after year will undermine the benefits of the investments we have made.

I also wish to thank the Subcommittee for including \$750,000 in construction general funding for Hunting Bayou and \$340,000 in General Investigations funding for Greens Bayou.

Both of these watersheds have experienced major flooding over the past years and are crying out for investment to protect the hundreds of thousands of residents and thousands of businesses in those areas.

And finally, I want to note that while this bill does not yet provide general investigations funding to begin a study of a federal project for Halls Bayou, a tributary of Greens Bayou, that project is authorized as part of the Water Resources Development Act of 1990.

Also, there is a section of the pending House Water Resources Development Act of 2004 (H.R. 2557) that would reclassify Halls Bayou as a section 211 reimbursement project under the Water Resources Development Act of 1990.

Again, I thank the subcommittee, its leadership, and particularly Congressman EDWARDS of Texas for their fine work on this piece of legislation. I urge support of H.R. 4614.

Mr. GUTKNECHT. Mr. Chairman, as the House passes the FY2005 Energy and Water Development appropriations bill today, I would like to draw attention to the Lewis & Clark Rural Water project. While Minnesota has thousands of lakes, southwest Minnesota, in my district, is described as the place the glaciers missed. In fact, Rock County the southwestern most county in Minnesota, it the only county in my home state that does not have a single lake.

To deal with this problem, sixteen communities and five rural water systems joined together in 1990 to create the non-profit Lewis & Clark Rural Water System. This water system project, when completed, will cover an area of 5,000 square miles in southwest Minnesota, northwest Iowa, and southeast South Dakota. The twenty-one members of the Lewis & Clark Rural Water System serve a population of over 200,000 people.

Construction on the Lewis & Clark Rural Water Project is underway and moving ahead. The groundbreaking and first official construction took place in August 2003. A large diameter casing and two wells have been installed and the first segment of pipe was installed on June 14, 2004. Another contract, for roughly \$15 million, will be awarded in July. This contract, using funds appropriated in FY2004, will complete the Raw Water Pipeline, which will take the untreated water from the well fields to the water treatment plant.

This important project will greatly improve quality of life and enhance economic opportunity in my district. Over 100 rural families in southwest Minnesota are on a waiting list to receive water from Lincoln-Pipestone Rural Water (L-PRWS), one of the members of Lewis & Clark. Until the Lewis & Clark project in this area is completed, there will not be enough water for these families.

Economic development will be enhanced by allowing communities to provide additional water to expanding industries and value-added agriculture, thereby preserving jobs, as well as attracting new industries. One community in my district, Worthington, has actually had to turn away inquiries from companies considering locating their because of the lack of water. This is a serious problem and I applaud the dedication of those individuals who have worked long and hard to get this project going.

In the 108th Congress I have made the Lewis & Clark project a priority of mine and submitted a request for \$35 million dollars. Included in this appropriations bill is \$17.5 million for the Lewis & Clark project. While this funding is less than the amount for which we had hoped, it is a good start, and I applaud the President for making this a priority in his budget request.

Rural Minnesota, South Dakota, and Iowa need the Lewis & Clark Rural Water Project and I am excited construction has begun. For the sake of these communities I urge Congress to continue to make this project a priority.

Mr. BARRETT of South Carolina. Mr. Chairman, as a Representative of the Savannah River Site located in South Carolina's Third Congressional District, I rise today to voice my concerns regarding this bill. The Savannah River Site (SRS) is South Carolina's largest single site employer, employing approximately 13,500 workers from around the southeast region, and it serves a vital function to our nation's nuclear infrastructure. The Fiscal Year 2005 Energy and Water Appropriations bill in its current form potentially jeopardizes several programs at the SRS including the waste incidental to reprocessing, the Savannah River National Laboratory, the mixed-oxide fuel program, and the modern pit facility.

While I strongly commend the Committee for preventing the DOE from setting aside funding for their High-level Waste Proposal pending the outcome of the waste incidental to reprocessing issue, I respectfully disagree with the Committee's position regarding resolution of that issue. Although efforts to agree in good faith on comprehensive legislation to uniformly resolve the issue failed between the DOE, Washington, Idaho, and South Carolina, other alternative solutions should be pursued. For example, state specific solutions should be supported so long as those states retain the authority to ensure the DOE takes into consideration the state's regulations upon implementation of its nuclear cleanup program.

Moreover, failure to support agreements between each interested state and the DOE places increased risk to each site's surrounding communities and imposes greater costs to America's taxpayers. I fear the longer a delay occurs the longer period of time the residual waste will be left in its liquid form,

which poses a greater threat to the nearby rivers that may serve as a water source for surrounding communities. If single state agreements would allow sufficient environmental remediation method to proceed in a safe manner, it is unnecessary for our nation's taxpayers to incur additional costs to research and develop new, unproven cleanup methods. As a result, single state solutions, would preclude continued delay of processing waste stored at the affected sites, which would prevent undue additional risk and increased costs to cleanup the sites.

I also respectfully disagree with the Committee's support for the DOE's decision that the Salt Waste Processing Facility and the Salt Waste Process Facility Alternative are prohibited by the Idaho District Court ruling regarding waste incidental to reprocessing. On the contrary, the objectives of these facilities are approximately a mirror image of the work being conducted at the Defense Waste Processing Facility, which has been processing nuclear waste for several years and continues to do so despite the outstanding waste incidental to reprocessing issue. By the Committee's zeroing out finding for these projects in FY05, the SRS community is greatly concerned with the future job outlook that these facilities are scheduled to provide in the near and long term.

With respect to the Committee's position on the Savannah River National Laboratory, I understand the Committee's concern with the level of consultation provided by the DOE regarding the designation of the Savannah River National Laboratory. However, I am disappointed this bill fails to provide funding for one of nation's premier science labs. I believe now is the time for our nation to show its commitment to scientific research and development at our national labs to encourage young American professionals to enter a scientific field that is increasingly losing many of America's best scientists to retirement. Our national labs are a unique asset to our nation's scientific community and national security, and unfortunately, limiting the number of labs limits the opportunities we provide to America's scientific youth. As a result, I strongly support designation of the Savannah River Technology Center as our Nation's 13th national laboratory.

In regards to the mixed-oxide fuel program, the United States and Russia need to continue to expedite negotiations over the program's liability provisions, and I appreciate the Committee's consideration to restore the program's funding cuts should an agreement be reached in 2005.

Finally, I respectfully disagree with the Committee's decision to zero out funding for the modern pit facility (MPF), and to prohibit site selection from occurring in FY05. The MPF is crucial to sustaining the integrity of the United States nuclear deterrent for the foreseeable future. After 1989, the United States became the only nuclear power without the ability to manufacture plutonium pits for its nuclear stockpile. Many of the weapons in our nuclear stockpile have outlived their intended design life, and while the integrity of these weapons is not currently in jeopardy, the potential risk for functional degradation of the plutonium pit is too great not to take action. Therefore, I fully support the Administration's efforts to develop advanced nuclear concepts like the MPF to mitigate against the risk of being unable to maintain our current nuclear deterrent.

Furthermore, locating the MPF at the Savannah River site (SRS) is important for the country and the state of South Carolina. SRS is the most capable location for the mission because it has an excellent safety and security record, all necessary infrastructure requirements for any capacity size, and a proven and successful history of plutonium operations. As a result, locating the mission at SRS should save from \$300 to over \$500 million in taxpayer funds. Also, the mission is estimated to create 3,600 additional jobs in the private sector, which would partially offset SRS employment losses as it nuclear clean-up missions are completed. The SRS community has a long history of proudly serving our nation and fully supports the MPF. As a result, I am hopeful the Committee will remove its objections to site selection as it conferences with the Senate on this bill.

Mr. Chairman, while I support the interests of my Congressional district, I understand the enormous responsibility this Committee must endure as it considered appropriations legislation for our nation's energy programs. Although this bill does not fully provide the SRS community with the resources the Administration has requested, I do believe the Chairman and the Committee are steadfastly working in good faith to enhance our nation's energy problems, and I look forward to working with the Chairman on future issues related to the Savannah River Site and our nation.

Mr. VISCLOSKEY. Mr. Chairman, I yield back the balance of my time.

Mr. HOBSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 4614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, shore protection, aquatic ecosystem restoration, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to rivers and harbors, flood control, shore protection, storm damage reduction, and related projects, restudy of authorized projects, miscellaneous investigations, and, when author-

ized by law, surveys and detailed studies and plans and specifications of projects prior to construction, \$149,000,000, to remain available until expended: *Provided*, That for the Ohio Riverfront, Cincinnati, Ohio, project, the cost of planning and design undertaken by non-Federal interests shall be credited toward the non-Federal share of project design costs: *Provided further*, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff.

POINT OF ORDER

The CHAIRMAN. For what purpose does the gentleman from Tennessee rise?

Mr. DUNCAN. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DUNCAN. Mr. Chairman, at the request of the gentleman from Alaska (Chairman YOUNG) and on behalf of the Committee on Transportation and Infrastructure I rise to raise a point of order against page 2 line 23 beginning with "provided further" through page 3 line 5.

Let me say, first of all, that I want to commend the gentleman from Ohio (Chairman HOBSON) and the gentleman from Indiana (Ranking Member VISCLOSKEY) who have done such an outstanding job on this legislation. But this provision, this particular provision, violates clause 2 of rule 21. It directs the Secretary of Army to include additional analysis in the southwest Valley Flood Damage Reduction Study and, therefore, constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

In that case, the Chair will rule.

The Chair finds this provision includes language imparting direction to the Secretary of the Army. The provision therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION GENERAL

For expenses necessary for the prosecution of river and harbor, flood control, shore protection, storm damage reduction, and related projects authorized by law; and for conducting detailed studies, and plans and specifications, of such projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$1,876,680,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public

Law 104-303; and of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterways Trust Fund for one-half of the costs of construction and rehabilitation of inland waterways projects (including the rehabilitation costs for Lock and Dam 11, Mississippi River, Iowa; Lock and Dam 19, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; and Lock and Dam 3, Mississippi River, Minnesota); *Provided*, That using \$10,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: *Provided further*, That the Secretary of the Army is directed to accept advance funds, pursuant to section 11 of the River and Harbor Act of 1925, from the non-Federal sponsor of the Los Angeles Harbor, California, project authorized by section 101(b)(5) of Public Law 106-541: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the New York and New Jersey Harbor project, 50-foot deepening element, upon execution of the Project Cooperation Agreement: *Provided further*, That no funds made available under this Act or any other Act for any fiscal year may be used by the Secretary of the Army to carry out the construction of the Port Jersey element of the New York and New Jersey Harbor or reimbursement to the Local Sponsor for the construction of the Port Jersey element until commitments for construction of container handling facilities are obtained from the non-Federal sponsor for a second user along the Port Jersey element: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$6,000,000 of the funds appropriated herein to proceed with planning, engineering, design or construction of the Grundy, Buchanan County, and Dickenson County, Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated for the navigation project, Tampa Harbor, Florida, to carry out, as part of the project, construction of passing lanes in an area approximately 3.5 miles long, centered on Tampa Bay Cut B, if the Secretary determines that such construction is technically sound, environmentally acceptable, and cost effective: *Provided further*, That using \$500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to plan, design, and initiate reconstruction of the Cape Girardeau, Missouri, project, originally authorized by the Flood Control Act of 1950, at an estimated total cost of \$9,000,000, with cost sharing on the same basis as cost sharing for the project as originally authorized, if the Secretary determines that the reconstruction is technically sound and environmentally acceptable: *Provided further*, That the planned reconstruction shall be based on the most cost-effective engineering solution and shall require no further economic justification: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed without further delay with work on the permanent bridge to replace Folsom Bridge Dam Road, Folsom, California, as authorized by the Energy and Water Development Appropriations Act, 2004 (Public Law 108-137), and, of the \$8,000,000 available for the American River Watershed (Folsom Dam Mini-Raise), California, project, up to \$5,000,000 of those funds

be directed for the permanent bridge, with all remaining devoted to the Mini-Raise.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for the flood damage reduction program for the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$325,000,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects; for providing security for infrastructure owned and operated by, or on behalf of, the United States Army Corps of Engineers, including administrative buildings and facilities, laboratories, and the Washington Aqueduct; for the maintenance of harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; and for surveys and charting of northern and northwestern lakes and connecting waters, clearing and straightening channels, and removal of obstructions to navigation; \$1,982,000,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that fund; of which such sums as become available from the special account for the United States Army Corps of Engineers established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-6a(i)), may be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available under section 217 of the Water Resources Development Act of 1996, Public Law 104-303, shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which fees have been collected: *Provided*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to rehabilitate the existing dredged material disposal site for the project for navigation, Bodega Bay Harbor, California, and to continue maintenance dredging of the Federal channel: *Provided further*, That the Secretary shall make suitable material excavated from the site as part of the rehabilitation effort available to the non-Federal sponsor, at no cost to the Federal Government, for use by the non-Federal sponsor in the development of public facilities.

AMENDMENT NO. 4 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. NORTON:

Page 3, line 17, after the dollar amount insert the following: “(increased by \$20,000,000) (reduced by \$20,000,000)”.

(Ms. NORTON asked and was given permission to revise and extend her remarks.)

Ms. NORTON. Mr. Chairman, my amendment addresses a crisis that affects Members of Congress and all who live and work here resulting from a public health advisory regarding lead in the drinking water in the Nation's Capitol.

I am seeking to increase general project construction money in the amount of \$20 million by increasing the amount of savings in slippage. The \$20 million will help to address a federally created drinking water crisis caused by leaching from lead pipes installed by the U.S. Army Corps of Engineers more than 100 years ago amidst controversy that lead pipes were not safe even then.

EPA standards for lead in the drinking water is 15 parts per billion, yet thousands of homes in this city have tested above this standard, hundreds above 300 parts per billion. The water crisis I am asking Congress to address, however, not only affects people who live here but 200,000 Federal employees in the Capitol, the Supreme Court, the White House and Federal office buildings and millions of tourists from throughout the country and world who come here.

Public health officials testified at a May 21 Committee on Government Reform hearing that lead contaminated drinking water is dangerous for everyone, but can be especially dangerous to fetuses and young children under the age of 6, hindering their brain development and lowering their IQs. Yet, pregnant women and young children drank the water here not knowing about dangerous levels of lead. At the hearing a mother, Katherine Funk, testified that she unknowingly drank lead contaminated water throughout her entire pregnancy.

I support what we are spending to provide safe drinking water for the innocent people of Iraq. Today I am requesting a mere \$20 million to begin the process here in the Nation's Capitol. The \$20 million will help replace lead lines. The lion's share is being borne locally, but some contribution from the Federal Government to reduce this crisis is particularly appropriate.

The lead water crisis emanates from the decision of the U.S. Army Corps of Engineers to build the District's water infrastructure system using lead pipes more than 100 years ago. And that was so controversial then. I will insert into the RECORD two articles from the Washington Post of 1893 and 1895 discussing the controversy. Also discussed there is the role that the Army Corps of Engineers played in constructing these pipes.

The articles point out that the Army Corps knew of the health dangers of lead pipes that carried the District's drinking water but chose to use them anyway.

The Federal Government's role in providing water here goes beyond the pipes to the treatment of water itself. The Army Corps also built and still runs the Washington aqueduct which treats the water supply for the district and parts of northern Virginia.

The Committee on Government Reform hearing heard testimony from scientific experts that the switch in chemical treatment of the drinking water in 2000 at the aqueduct without

adequate testing is the likely cause of leaching of lead pipes into the drinking water.

With the Corps embedded in the crisis through lead lines and faulty chemical treatment, the government should assume at least some share of the responsibility. The amount being requested here will not and is not intended to cover anything close to the cost of replacing these lines, but it will hasten the current replacement efforts being undertaken by the D.C. Water and Sewer Authority.

I certainly ask that the Federal Government step up to its responsibility. The residents of the District of Columbia have more than stepped up to their responsibility. This was done well before there was any home rule when the residents could have and did have no affect upon it.

The water I am talking about is the water that is on our rostrums every time we go to committee hearing. We should do something to protect ourselves, to protect Federal employees, and to protect the residents of the District of Columbia.

Mr. Chairman, at this point, I will insert the two articles I previously referred to.

[From the Washington Post, June 9, 1893]

LEAD PIPES UNSATISFACTORY

Capt. Powell, the Engineer Commissioner, has determined that a substitute must be found for lead pipes which, according to the present plumbing regulations, must be used in providing a water service for residences. The general fear that such pipes might cause lead poisoning under certain conditions makes their general adoption in the District a menace to the health of the people.

It has been shown that the chemical character of Potomac water causes such pipes to become coated on the inside with an insulation of carbonate of lime, soda, and clay, held in solution in the water. This coating, it has been argued, is a sure protection from danger of lead poisoning, but the engineer department has decided that it is too slight a safeguard. It is probable that the city's supply of water will be filtered at some future day, as sand filtration of drinking water has been adopted in many large cities abroad and is rapidly becoming popular.

Just what effect the filtered water may have in the coating of lead pipes has not been determined. The fact that iron pipes become thickly rusted on the inside, which causes a material loss of water pressure, makes their use unsatisfactory. Yesterday Capt. Derby, in charge of the division of water and sewers, examined the first substitute for lead pipe that has been presented since the investigation began. It was what is known as the improved Bower-Barff process, being a steel pipe coated inside and out with black oxide of iron. Capt. Derby reported it was "worth experimenting with," and tests of the pipe will be commenced at once. Several other styles of pipe are to be examined.

[From the Washington Post, Sept. 15, 1895]

POTOMAC WATER AND LEAD PIPE

A.W. Dow, inspector of asphalt and cements, yesterday made his report to the Engineer Commissioner. In it he says considerable change has been made in the past year in asphalt pavement by the addition of a fine sand to a sand similar to that formerly used. Under the present circumstances this is the

best that can be done. The only fine sand now available is that dredged off the foot of Seventeenth Street.

The inspector deals also with the public wells analyzed. There were found to be 96 good ones, 41 suspicious, and 57 condemned.

The most interesting part of the report deals with the investigation of the action of Potomac water on lead pipe, to determine if enough lead is dissolved by the water to be injurious to public health. In order to have all conditions corresponding as near as possible with those of actual service, the inspector had one new forty foot lead service pipe in Anacostia and fifty feet of new lead pipe attached to the high service main at the U street pumphouse. From the investigation the inspector concludes that the only great source of danger is where the coating becomes detached by a rapid flow of water after the pipe had remained unused for some time. He will continue the investigation.

Mr. HOBSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I share my colleague's concern about the lead in parts of the D.C. water system. However, I have to point out that such work is really not in the Corps of Engineers bailiwick. They are not authorized and we do not include any new water project authorization in our bill at this time.

I should also note that the Corps is probably not the best agency to conduct this kind of work. The Corps' role in the water system for the District of Columbia is limited to operating the water treatment plant. The Corps currently has no responsibility after the water leaves the plant for the water distribution and supply lines are a district responsibility and not that of the Corps.

Therefore, regrettably, I mean this sincerely, I do not have any way to really take care of this right now. This is a problem that the District has. At some point we ought to find a solution to help the District solve this problem. I just do not have the tools at this time to do that. Therefore, I must oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from the District of Columbia (Ms. NORTON).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from the District of Columbia (Ms. NORTON) will be postponed.

Mr. KIND. Mr. Chairman, I move to strike the last word.

Mr. Chairman, based on previous conversations and the agreement I had with the Chair and the ranking member of the committee, I was offering this amendment with the intent to ask unanimous consent to withdraw and continue working with them and with the conferees in regards to a very important program that affects the upper Mississippi river basin, the Environmental Management Program.

It is an authorized program that first passed in 1986. It was reauthorized on a

permanent basis in 1999. The authorization level has gone up to \$33 million. My concern is that we have over the last few years been backtracking in regards to the funding of this important program.

As co-chair of the bipartisan upper Mississippi river basin Congressional task force, I have worked with my colleagues from this five-State region to build consensus about how best to protect and restore the nationally significant and environmental treasures of the upper Mississippi River.

I want to commend my colleagues who are here today, the gentlewoman from Minnesota (Ms. McCOLLUM) and my good friend, the gentleman from Missouri, Mr. HULSHOF, for their strong support for the EMP program and the support we have had in the bipartisan Mississippi River Caucus.

Earlier this year, 013 of us of the River Caucus wrote to the committee asking the committee to respect and appropriate funds for EMP at the President's budget request of \$28 million. The committee, however, in this underlying report is only recommending \$16 million.

The fear is we are backsliding on current projects that are in the works that will delay the completion of these projects by years. It will delay the implementation of new identified habitat restoration projects along the upper Mississippi River, along with the crucial long-term resource monitoring and the data collection which helps us better manage this important national treasure that we have in middle America.

The upper Mississippi and the entire Mississippi River basin area is North America's largest migratory route for waterfowl. It is the primary drinking source for 33 million Americans. It adds countless billions of dollars to our regional economy through industry and companies and farmers with the commercial navigation that is available along the Mississippi, not to mention a \$6 billion tourism impact on the upper area and close to \$2 billion recreation impact in the upper Mississippi River area.

And we have always recognized the legislation that has preceded us today that this is a multi-use river system between commercial navigation, which has existed in the past since the 1930s when the lock and dam system was created to harness the power of the river, to the recreation and the tourist impact.

The EMP program was established in the 1980s recognizing the need to maintain that important balance along the river between the infrastructure needs that are ongoing, but also the habitat restoration and long-term resource monitoring that the EMP program currently does. But, unfortunately, again, we have had backsliding over the last few years in regards to the commitment of the program.

Fortunately, the administration sees it a little bit differently. Based on a

letter that I wrote to the administration requesting funding earlier this year, the President responded to my request by a letter dated April 20, and I quote, "As you know, the President submitted his 2005 budget on February 2004. I am pleased to say that the budget identifies EMP as one of the eight highest priority Army Corps of Engineer construction projects in the Nation and proposes \$28 million in funding for it an increase of \$9 million or 47 percent from the previous fiscal year."

The point is, this has received wide bipartisan support, support from the governors and the five States of Wisconsin, Minnesota, Iowa, Illinois, and Missouri, that have supported this project. Various groups that are concerned about river management issues are very supportive of the environmental management program. The Corps of Engineers has had a multiyear, multimillion dollar navigation study that they have initially released a preliminary report upon asking in part for \$5.3 billion ecosystem management project to go along with a proposed lock and dam expansion project.

In light of where we seem to be heading in regards to the river management issues, we would hope we could get more support for the funding of a program that has proven itself year in and year out with wide bipartisan support, with tangible results that we see along the upper Mississippi River, something that thousands of people will see in the coming week as the 1854 grand excursion is recreated with a grand flotilla going up the Mississippi and finally ending up, I believe, in the district of the gentlewoman from Minnesota (Ms. MCCOLLUM) for a 4th of July celebration.

□ 1145

The river has played an incredibly important role in the development of middle America, the Great Plains States, and the upper Midwest generally. From the exposure it received in 1854 with the Grand Excursion to the great American novels that Mark Twain wrote of two kids growing up on the Mississippi, Tom Sawyer and Huck Finn, to the ongoing uses of the river, we believe we need to do a better job of funding the EMP; and hopefully with the leadership's cooperation, we can accomplish that in conference.

Mr. HULSHOF. Mr. Chairman, I move to strike the last word.

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. Mr. Chairman, I want to, first of all, say thank you to my friend for his kind words and the work that he has done on the upper Mississippi; and, two, the chairman of the subcommittee during general debate, the chairman talked about trying to find a balanced approach, and I applaud that; and I think the underlying bill does just that.

We certainly appreciate trying to fund the critical programs through the

upper Mississippi River basin. Despite, quite frankly, the recent core budgets that have made this task extremely challenging, it is critical that adequate funding be provided to support a multiple-use river, as the gentleman from Wisconsin spoke of.

Whether it is the Environmental Management Plan that he spoke of to the navigation study and a comprehensive plan for flood control and floodplain management, the Mississippi River does, in fact, have diverse uses and, accordingly, diverse needs.

Again, I applaud the chairman and the subcommittee who have worked with our office and our constituents to make a difference in the basin. In fact, I know that the chairman has logged thousands of miles personally to inspect and view many of the civil works projects around the country, and I would be remiss if I did not extend a personal invitation to the gentleman to come to Missouri and to see the upper Mississippi and especially the locks and dams as the previous chairman did some years ago.

In fact, it was on that visit that we had a chance to view from the air some of the true benefits of the Environmental Management Plan specifically, and it really gave me a sense of a greater appreciation for what the Corps of Engineers was doing with the EMP. Already hundreds of acres of prime wetlands have been reclaimed, critical back waters have been restored, habitats are thriving. We are helping to promote flood control throughout the region, and we know too often, I think, the Corps of Engineers receives only barbs for its environmental record; but I think its successes in the EMP, which has really only been limited by funding issues, are indeed worthy of praise.

So accordingly, I support the bipartisan efforts of the gentleman from Wisconsin (Mr. KIND), my friend, as well as the gentleman from Ohio (Mr. HOBSON), to achieve this balanced approach to the management of one of our Nation's greatest natural resources, the mighty Mississippi.

WITHDRAWAL OF REQUEST FOR RECORDED VOTE ON AMENDMENT NO. 4 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, after speaking with the distinguished chairman concerning matters involving lead in the water that are transpiring in the other body, I think a vote is unnecessary. I ask unanimous consent to withdraw my request for a vote.

The CHAIRMAN. The gentlewoman withdraws her request. Accordingly, the noes have it, and the amendment is not agreed to.

Mr. HOBSON. Mr. Chairman, I ask unanimous consent that the remainder of the bill through title II be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of the bill through title II is as follows:

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$140,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination at sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$190,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related civil works functions in the headquarters of the United States Army Corps of Engineers, the offices of the Division Engineers, the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center, \$167,000,000, to remain available until expended: *Provided*, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: *Provided further*, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

OFFICE OF ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

For expenses necessary for the Office of Assistant Secretary of the Army (Civil Works), as authorized by 10 U.S.C. 3016(b)(3), \$2,600,000.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed \$5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. Agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915 (P.L. 64-291); section 11 of the River and Harbor Act of 1925 (P.L. 68-585); the Civil Functions Appropriations Act, 1936 (P.L. 75-208); section 215 of the Flood Control, Act of 1968, as amended (P.L. 90-483); sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended (P.L. 99-662); section 206 of the Water Resources Development Act of 1992, as amended (P.L. 102-580); section 211 of the Water Resources Development Act of 1996 (P.L. 104-303); and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed \$10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed \$50,000,000 in each fiscal year.

SEC. 102. None of the funds appropriated in this or any other Act may be used by the United States Army Corps of Engineers to support activities related to the proposed Ridge Landfill in Tuscarawas County, Ohio.

SEC. 103. None of the funds appropriated in this or any other Act shall be used to demonstrate or implement any plans divesting or transferring any Civil Works missions, functions, or responsibilities of the United States Army Corps of Engineers to other government agencies without specific direction in a subsequent Act of Congress.

SEC. 104. None of the funds appropriated in this or any other Act may be used by the United States Army Corps of Engineers to support activities related to the proposed Indian Run Sanitary Landfill in Sandy Township, Stark County, Ohio.

SEC. 105. ALAMOGORDO, NEW MEXICO. The project for flood protection at Alamogordo, New Mexico, authorized by the Flood Control Act of 1962 (P.L. 87-874), is modified to authorize and direct the Secretary to construct a flood detention basin to protect the north side of the City of Alamogordo, New Mexico, from flooding. The flood detention basin shall be constructed to provide protection from a 100-year flood event. The project cost share for the flood detention basin shall be consistent with section 103(a) of the Water Resources Development Act of 1986, notwithstanding section 202(a) of the Water Resources Development Act of 1996.

SEC. 106. Section 214(a) of Public Law 106-541 is amended by striking "2003" and inserting "2007".

SEC. 107. FLOOD DAMAGE REDUCTION, MILL CREEK, CINCINNATI, OHIO. The Secretary of the Army is directed to complete the General Reevaluation Report on the Mill Creek, Ohio, project not later than March 1, 2005, at 100 percent Federal cost. The report shall provide plans for flood damage reduction throughout the basin equivalent to and commensurate with that afforded by the authorized, partially implemented, Mill Creek, Ohio, Flood Damage Reduction Project, as authorized in section 201 of the Flood Control Act of 1970 (P.L. 91-611).

SEC. 108. The Secretary shall provide credit to the non-Federal sponsor for preconstruction engineering and design work performed by the non-Federal sponsor for the environmental dredging project at Ashtabula River, Ohio, prior to execution of a Project Cooperation Agreement.

SEC. 109. The Secretary of the Army, acting through the Chief of Engineers, is directed to design the Central Riverfront Park project on the Ohio Riverfront in Cincinnati, Ohio, as described in the Central Riverfront Park Master Plan performed by the City of Cincinnati, dated December 1999, and the Section 905(b) analysis, performed by the Louisville District of the Corps of Engineers, dated August 2002. The cost of project work undertaken by the non-Federal interests, including but not limited to prior and current planning and design, shall be credited toward the non-Federal share of design costs.

SEC. 110. Amounts in the revolving fund may not be used for the Dredge MCFARLAND overhaul, the replacement of the side-casting propulsion system of the Dredge MERRITT, the pontoon pipeline replacement of the Dredge JADWIN, the bow discharge replacement and repowering for the Dredge ESSAYONS, the repowering of the Dredge YAQUINA, or the floating pipeline replacement for the Dredge POTTER.

TITLE II

DEPARTMENT OF THE INTERIOR CENTRAL UTAH PROJECT CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$48,009,000 to remain available until expended, of which \$15,469,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, \$1,734,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES (INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, \$860,000,000, to remain available until expended, of which \$53,299,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$33,794,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; and of which not more than \$500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 4601-6a(i) shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: *Provided further*, That section 301 of Public Law 102-250, the Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting "2004, and 2005" in lieu of "and 2004".

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$54,695,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102-575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court-adopted decree or order.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, \$58,153,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions

budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 14 passenger motor vehicles, of which 11 are for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program-Alternative Repayment Plan" and the "SJVDP-Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 202. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106-60.

The CHAIRMAN. Are there points of order against that portion of the bill?

POINTS OF ORDER

Mr. DUNCAN. Mr. Chairman, once again, I will say that I certainly commend the gentleman from Ohio (Chairman HOBSON) and his staff for the fine work they have done on this bill, but I do have six points of order that I am required to raise at this time.

The CHAIRMAN. The gentleman will state his points of order.

Mr. DUNCAN. Mr. Chairman, I raise a point of order against section 105. This section violates clause 2 of rule XXI. It changes existing law and, therefore, constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Hearing none, the Chair finds that this provision directly modifies an existing flood project. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained. The provision is stricken from the bill.

Mr. DUNCAN. Mr. Chairman, I raise a point of order against section 106. This provision violates clause 2 of rule XXI. It changes existing law and,

therefore, constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be recognized on the point of order? If not, the Chair will rule.

The Chair finds that this provision directly amends existing law. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained. The provision is stricken from the bill.

Mr. DUNCAN. Mr. Chairman, I raise a point of order against section 107. This provision violates clause 2 of rule XXI. It establishes a deadline for completing the general reevaluation report for the Mill Creek, Ohio, project and adds a planning requirement. This constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this provision includes language imparting direction to the Secretary of the Army. The provision, therefore, constitutes legislation under clause 2 of rule XXI. Therefore, the point of order is sustained. The provision is stricken from the bill.

Mr. DUNCAN. Mr. Chairman, I raise a point of order against section 108. This provision violates clause 2 of rule XXI. It authorizes the Secretary to provide certain credit to the non-Federal sponsor for the project at Ash-Tabula River, Ohio. It, therefore, constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds this provision includes language imparting direction to the Secretary of the Army. The provision, therefore, constitutes legislation in violation of clause 2, rule XXI. The point of order is sustained. The provision is stricken from the bill.

Mr. DUNCAN. Mr. Chairman, I raise a point of order against section 109. This section violates clause 2 of rule XXI. It directs the Corps of Engineers to proceed to the design phase of the Central Riverfront Project on the Ohio riverfront in Cincinnati. This, therefore, constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to address the point of order? If not, the Chair is prepared to rule.

The Chair finds this provision includes language imparting direction to the Secretary of the Army. The provision of the legislation is in violation of clause 2 of rule XXI. The point of order is sustained, and the provision is stricken from the bill.

Mr. DUNCAN. Finally, Mr. Chairman, once again, on behalf of the Committee on Transportation and Infrastructure and the gentleman from Alaska (Chairman YOUNG), I raise a point of order against section 110. Mr. Chairman, this section violates clause

2 of rule XXI. It prohibits amounts in the Corps of Engineers revolving fund from being used for certain maintenance work on corps dredges. It limits the use of funds not made available in this bill and, therefore, constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to address the point of order? If not, the Chair is prepared to rule.

The Chair finds this provision addresses funds and other acts. The provision, therefore, constitutes legislation in violation of clause 2, rule XXI. The point of order is sustained. The provision is stricken from the bill.

Are there any amendments to this portion of the bill?

Ms. MCCOLLUM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like today to rise in strong support for what the gentleman from Wisconsin was so eloquently up here speaking about before, the Environmental Management Program.

This is a program that provides critical resources to keep the Mississippi River healthy and enjoyable for all of our citizens. The Mississippi River is a working river, and it is a river, which, when navigation takes place and projects by the Army Corps are put in effect for flood control projects, we quite often find ourselves with unintended consequences to the river's habitat.

Without additional funding, the river habitat will continue to be lost and hundreds of species that depend upon the health of the river will struggle to survive, but it is not just fish and wildlife at stake. Millions of visitors spend annually billions of dollars on recreating along the Mississippi-Illinois rivers supporting thousands of jobs.

The Mississippi River is also a source of drinking water for millions of Americans. The Environmental Management Program is the Nation's premier large-river monitoring and restoration program. It is a model for interagency and interstate cooperation on an equal system level national resources management.

This is a very important management program; and as the committee moves forward, I would encourage it to look for any additional funding dollars.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 9 passenger motor vehicles for replacement only, and one ambulance,

\$817,126,000, to remain available until expended.

AMENDMENT NO. 5 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. SANDERS:

Page 19, line 14, after the dollar amount, insert the following: "(increased by \$30,000,000)".

Page 23, line 5, after the dollar amount, insert the following: "(reduced by \$30,000,000)".

Mr. HOBSON. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 24 minutes to be equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Vermont (Mr. SANDERS) is recognized for 12 minutes.

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me begin by thanking the gentleman from Ohio (Chairman HOBSON) and the gentleman from Indiana (Ranking Member VISCLOSKEY) for all of their hard work on this important legislation.

The amendment that I am offering is cosponsored by the gentleman from New York (Mr. HINCHHEY) and the gentleman from Oregon (Mr. DEFAZIO) and the gentlewoman from Ohio (Ms. KAPTUR).

Mr. Chairman, this amendment deals, in fact, with one of the important issues of our time, and that is, whether the United States Government will take the bold step to break our dependency on fossil fuels, break our dependency on nuclear power and move forward as aggressively as we can into the new world of safe, clean, cost-effective, sustainable energy.

The truth is that we have made some progress in recent years, but the truth also is that we have a long, long way to go; and this amendment will help us move in that direction.

Mr. Chairman, specifically, the legislative intent of this amendment is to increase funding for renewable energy programs such as solar energy, wind, biomass, clean hydrogen, and geothermal by \$30 million, to be offset by a decrease of \$30 million in funding for the nuclear weapons advance simulation and computing program in the weapons activities budget. That offset, by the way, is a decrease of less than 5 percent for this program and a tiny fraction of the \$6.5 billion for weapons that are funded in this bill.

Mr. Chairman, this amendment would bolster critical research and development so that we can deliver unlimited clean energy for generations to come. Improving the technology for sustainable energy is a huge step forward in protecting our environment,

improving our economy and making this world a safer place so that our foreign policy is not significantly dictated by energy needs.

Mr. Chairman, this amendment is supported by every major environmental organization in the country, including the League of Conservation Voters, the Sierra Club, the Natural Resources Defense Council, American Rivers, U.S. PIRG and Public Citizen.

Mr. Chairman, if one looks at the big picture, it is clear that we are on the cusp of a historic opportunity to move from finite polluting fossil fuels to abundant, nonpolluting, clean energy sources that can be developed, refined, and manufactured here in the United States of America, not in the Mideast. The potential for these technologies is without limits as long as we adequately fund the research and development now.

The programs increased under this amendment, solar, wind, clean hydrogen, biomass and geothermal, offer our country a new path of abundant clean energy that will revolutionize our impact on this planet.

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Passage of this amendment would send a message to the Nation that we are going to take the right path, that we are going to break from our destructive fossil fuel habits of the past and commit to a sane, clean, and cost effective energy future. When taken together, the funding for renewable energy sources in this bill falls \$31.6 million below the President's own request. So this amendment for \$30 million simply brings us up to what the President wants, which is, by no means, a radical concept.

Certainly we can add a modest amount of money to research, develop, discriminate and disseminate these technologies, which will prevent smog, acid rain, and global climate change. Certainly we can redirect a mere \$30 million in a bill of over \$28 billion to R&D that promises to dramatically reduce lung damaging sulfur dioxide and neurotoxic mercury in the air we breathe and the water we drink.

For those who might wonder whether we are already doing enough to support renewable energy, let me put our Government's support for different energy sources in historic perspective. From 1943 through 1999, cumulative Federal Government subsidies to nuclear photovoltaic, solar thermal and wind electric generating technologies, excluding hydropower, totaled about \$151 billion. The nuclear industry received \$145 billion, or over 96 percent of the subsidies.

Remarkably, even the alternative technology available today, which has been subsidized at a fraction of the amount we have historically thrown at nuclear power and fossil fuels, is competitive in the market and can eliminate substantial amounts of toxins from the air. If it is competitive in the marketplace today, let us think about what we can do if we adequately fund research.

In solar, we are making significant progress, but we are not funding solar any more today than we did in 1993. In wind, we are making progress, making real efforts to lower the cost of generating electricity from wind, but we are not adequately funding wind. Biomass, in my State of Vermont, 23 schools are now heated with wood chips. We are making progress. But everybody understands we can do a lot more. Geothermal the same, hydrogen the same.

Mr. Chairman, this is a modest amendment, but it is an important step forward in telling the world that we understand that a revolution can happen in breaking our dependency on fossil fuels, on nuclear power, and moving forward to clean, safe, sustainable energy.

Mr. Chairman, I reserve the balance of my time.

Mr. HOBSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I must rise reluctantly to oppose this amendment. As an energy consumer and a strong environmentalist, I fully support the increased development of renewable sources of energy. California, my State, has suffered tremendously in recent years from felonious manipulations, interruptions, and fluctuations in the energy market. Increasing the availability of renewable energy is absolutely necessary to achieving energy independence, and that is why this House should have passed a more balanced energy bill that makes the right investments in renewable energy and resources.

Unfortunately, Mr. Chairman, this amendment would take needed money away from the Advanced Simulation and Computing Initiative, better known as ASCI. ASCI is an essential component of our Nation's Stockpile Stewardship Program, which is designed to evaluate nuclear weapons so we do not have to return to nuclear testing. The ASCI program has developed some of the most powerful computers in the world to examine the aging of our nuclear stockpile. It has also led to breakthrough discoveries in science that have important civilian applications.

The funding for ASCI in this bill is already \$75 million below the level requested by the President. Mr. Chairman, while I strongly support increased development of renewable energy resources, I cannot do it at further expense of the ASCI program. So I urge my colleagues to oppose the Sanders amendment.

Mr. HOBSON. Mr. Chairman, I yield myself such time as I may consume, and I rise to oppose the amendment to increase funding for the renewable energy program. Everything we did in the major renewable accounts, with the exception of the hydrogen program, which were reduced because the Department ignored congressional guidance on competition and cost sharing, is at or above the President's budget request.

While I am supportive of the renewable energy programs, there are many other areas of the bill I would have included additional funds, if possible. However, the committee's allocation was tight and we had to make some tough decisions. I believe we wrote a fair and balanced bill, and the renewable energy programs did very well.

I might point out that I have already taken a hard line in our committee with the nuclear weapons computer programs, and additional major reductions, I do not think, are helpful or necessary at this time. So I urge a "no" vote on the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume, and I will close in a minute by saying that what we are talking about here is not a huge sum of money. It is \$30 million. And one can always argue that where you take the money there is a reason for that money, and I respect that. But I think the evidence is overwhelming that we are on the cusp of major breakthroughs which can change our entire use of energy in this country and lead us and the entire world to move toward clean, sustainable energy and away from nuclear power, of which we do not know how to dispose of today, and away from fossil fuels, which are causing so many serious environmental problems.

So this amendment is not just a \$30 million amendment, but I think it is an indication of the sentiment of this Congress to tell the American people and the world that we are prepared to go forward in a bold new way with huge potential, and so I would urge support for this amendment.

Mr. MARKEY. Mr. Chairman, before I speak in support of the Sanders amendment, I would like to applaud the Chairman, Ranking Member and all the members of the subcommittee for their wise decision to eliminate all funding for new nuclear weapons initiatives, including the nuclear bunker buster, mini-nukes, the Modern Pit Facility, and accelerated nuclear test readiness. The committee has taken a farsighted and courageous step toward nuclear sanity by eliminating funding for these wasteful, dangerous and entirely unnecessary programs, and this action will help restore America's nonproliferation credibility around the world.

The Sanders amendment would inject some of that same farsightedness into our allocation of funding for energy research and development by increasing funding for solar, wind, biomass, hydrogen and geothermal renewable energy technology.

President Bush's Fiscal Year 2005 budget request and this legislation take us backward, not forward, in our national investment in the clean, renewable technologies that will power us safely and reliably in the 21st century. In this legislation, renewable energy research and development programs are either cut or flat funded from last year. Mr. Sanders' amendment would ensure that we increase funding for each of the renewable energy programs next year, not cut them.

The amendment would shift \$30 million from "Advanced Simulation and Computing" in the

nuclear weapons activities program to five renewable energy programs. This cut of \$30 million represents less than a five percent of the total \$633 million budget for advanced simulation and computing and would leave the program with almost twice as much funding as the total funding for solar and renewable energy research and development.

Renewable energy is good for America. It creates jobs. It lowers electricity prices. It eliminates pollution and waste. It increases our national energy security. But the appropriation levels in front of us suggest that Congress does not consider renewable energy important. If my colleagues believe that renewable energy is important, I urge them to support the Sanders amendment so that funding for renewable energy programs can be increased, not cut, next year.

Mr. SANDERS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

Mr. HOBSON. Mr. Chairman, I ask unanimous consent the remainder of the bill through page 42, line 6 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The text of the remainder of the bill through page 42, line 6 is as follows:

NON-DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management site acceleration completion activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$151,850,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, as amended, and title X, subtitle A, of the Energy Policy Act of 1992, \$500,200,000, to be derived from the Fund, to remain available until expended, of which \$100,614,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

NON-DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for non-defense environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other

necessary expenses, \$291,296,000, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed four passenger motor vehicles for replacement only, including one ambulance, \$3,599,964,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed \$35,000), \$243,876,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total \$122,000,000 in fiscal year 2005 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2005, and any related unappropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2005 appropriation from the general fund estimated at not more than \$121,876,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$41,508,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 19 passenger motor vehicles, for replacement only, including not to exceed two buses; \$6,514,424,000 to remain available until expended.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear non-proliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), includ-

ing the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,348,647,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$807,900,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses (not to exceed \$12,000), \$356,200,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense site acceleration completion activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$5,930,837,000, to remain available until expended.

DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for defense-related environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, and the purchase of not to exceed three ambulances for replacement only, \$957,976,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$697,059,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$131,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$1,500. During fiscal year 2005, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities

and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$5,200,000, to remain available until expended: *Provided*, That, notwithstanding the provisions of 31 U.S.C. 3302, up to \$34,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, \$29,352,000, to remain available until expended: *Provided*, That, notwithstanding the provisions of 31 U.S.C. 3302, up to \$1,800,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500, \$173,100,000, to remain available until expended, of which \$170,756,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That, notwithstanding the provisions of 31 U.S.C. 3302, up to \$186,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$2,827,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed \$3,000), \$210,000,000, to

remain available until expended: *Provided*, That, notwithstanding any other provision of law, not to exceed \$210,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2005 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS DEPARTMENT OF ENERGY

SEC. 301. (a)(1) None of the funds in this or any other appropriations Act for fiscal year 2005 or any previous fiscal year may be used to make payments for a noncompetitive management and operating contract unless the Secretary of Energy has published in the Federal Register and submitted to the Committees on Appropriations of the House of Representatives and the Senate a written notification, with respect to each such contract, of the Secretary's decision to use competitive procedures for the award of the contract, or to not renew the contract, when the term of the contract expires.

(2) Paragraph (1) does not apply to an extension for up to two years of a noncompetitive management and operating contract, if the extension is for purposes of allowing time to award competitively a new contract, to provide continuity of service between contracts, or to complete a contract that will not be renewed.

(b) In this section:

(1) The term "noncompetitive management and operating contract" means a contract that was awarded more than 50 years ago without competition for the management and operation of Ames Laboratory, Argonne National Laboratory, Lawrence Berkeley National Laboratory, Lawrence Livermore National Laboratory, and Los Alamos National Laboratory.

(2) The term "competitive procedures" has the meaning provided in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403) and includes procedures described in section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) other than a procedure that solicits a proposal from only one source.

(c) For all management and operating contracts other than those listed in subsection (b)(1), none of the funds appropriated by this Act may be used to award a management and operating contract, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver. At least 60 days before a contract award for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Committees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (P.L. 102-484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the funds made available for obligation by this Act or any other appropriations Act for fiscal year 2005 or any previous fiscal year for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (P.L. 102-484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term "user facility" includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 308. The Administrator of the National Nuclear Security Administration may authorize the manager of a covered nuclear weapons research, development, testing or production facility to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such facility in order to maintain and enhance such capabilities at such facility: *Provided*, That of the amount allocated to a covered nuclear weapons facility each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: *Provided further*, That for purposes of this section, the term "covered nuclear weapons facility" means the following:

(1) the Kansas City Plant, Kansas City, Missouri;

(2) the Y-12 Plant, Oak Ridge, Tennessee;

(3) the Pantex Plant, Amarillo, Texas;
(4) the Savannah River Plant, South Carolina; and

(5) the Nevada Test Site.

SEC. 309. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2005 until the enactment of the Intelligence Authorization Act for fiscal year 2005.

SEC. 310. None of the funds made available in this or any other appropriations Act for fiscal year 2005 or any previous fiscal year may be used to select a site for a Modern Pit Facility during fiscal year 2005.

SEC. 311. None of the funds made available in this Act for fiscal year 2005 or any previous fiscal year may be used to finance laboratory directed research and development activities at Department of Energy laboratories on behalf of other Federal agencies.

SEC. 312. (a) None of the funds made available by this Act may be used to issue any license, approval, or authorization for the export or reexport, or transfer, or retransfer, whether directly or indirectly, of nuclear materials and equipment or sensitive nuclear technology, including items and assistance authorized by section 57 b. of the Atomic Energy Act of 1954 and regulated under part 810 of title 10, Code of Federal Regulations, and nuclear-related items on the Commerce Control List maintained under part 774 of title 15 of the Code of Federal Regulations, to any country whose government has been identified by the Secretary of State as engaged in state sponsorship of terrorist activities (specifically including any country the government of which has been determined by the Secretary of State under section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)), section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), or section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)) to have repeatedly provided support for acts of international terrorism).

(b) This section shall not apply to exports, reexports, transfers, or retransfers of radiation monitoring technologies, surveillance equipment, seals, cameras, tamper-indication devices, nuclear detectors, monitoring systems, or equipment necessary to safely store, transport, or remove hazardous materials, whether such items, services, or information are regulated by the Department of Energy, the Department of Commerce, or the Nuclear Regulatory Commission, except to the extent that such technologies, equipment, seals, cameras, devices, detectors, or systems are available for use in the design or construction of nuclear reactors or nuclear weapons.

(c) The President may waive the application of subsection (a) to a country if the President determines and certifies to Congress that the waiver will not result in any increased risk that the country receiving the waiver will acquire nuclear weapons, nuclear reactors, or any materials or components of nuclear weapons and—

(1) the government of such country has not within the preceding 12-month period willfully aided or abetted the international proliferation of nuclear explosive devices to individuals or groups or willfully aided and abetted an individual or groups in acquiring unsafeguarded nuclear materials;

(2) in the judgment of the President, the government of such country has provided adequate, verifiable assurances that it will cease its support for acts of international terrorism;

(3) the waiver of that subsection is in the vital national security interest of the United States; or

(4) such a waiver is essential to prevent or respond to a serious radiological hazard in the country receiving the waiver that may or does threaten public health and safety.

(d) This section shall apply with respect to exports that have been approved for transfer as of the date of the enactment of this Act but have not yet been transferred as of that date.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109 and hire of passenger motor vehicles, \$38,500,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$20,268,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), and 382M(b) of said Act, \$2,096,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed \$15,000), and purchase of promotional items for use in the recruitment of individuals for employment, \$662,777,000, to remain available until expended: *Provided*, That of the amount appropriated herein, \$69,050,000 shall be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$534,354,300 in fiscal year 2005 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation estimated at not more than \$128,422,700: *Provided further*, that none of the funds made available in this Act or any other appropriations Act for fiscal year 2005, or for any previous fiscal year, may be used by the Commission to issue a license during fiscal year 2005 to construct or operate a new commercial nuclear power plant in the United States.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$7,518,000, to remain available until expended: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$6,766,200 in fiscal year 2005 shall be retained and be available until expended, for necessary salaries and expenses in this account,

notwithstanding 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation estimated at not more than \$751,800.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$3,177,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

POINT OF ORDER

Mrs. WILSON of New Mexico. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentlewoman from New Mexico will state her point of order.

Mrs. WILSON of New Mexico. Mr. Chairman, section 311 of the bill violates clause 2 of rule XXI of the Rules of the House of Representatives prohibiting legislation on appropriation bills.

Section 311 restricts funding in the bill for certain Department of Energy laboratory functions in fiscal year 2005 and any previous fiscal year. Because the language restricts funding not just for 2005 but for all previous years, it constitutes legislation on an appropriation bill. For that reason, it violates clause 2 of rule XXI of the Rules of the House.

The CHAIRMAN. Does any other Member wish to speak to the point of order?

If not, the Chair is prepared to rule.

The gentlewoman from New Mexico makes a point of order that section 311 addresses funds in other acts. The gentlewoman asserts that a valid reading of the section is to limit any funds

made available in any previous fiscal year.

The Chair finds the language in this section ambiguous. The Chair would note that previous rulings cited in section 1052 of the House Rules and Manual allow the Chair to examine legislative history when attempting to resolve an ambiguity when ruling on a point of order.

In this case, the Chair finds that the committee report to accompany this bill, on page 174, indicates that section 311 intends to limit funds in this or any other appropriation act. Also, as recorded in the note in Deschler's Precedence, volume 8, chapter 26, section 57.17, where the terms in a purported limitation are challenged because of their ambiguity, the burden is on the proponent to show that no legislation is found in the relevant language.

In the opinion of the Chair, the committee has not met its burden and the section constitutes legislation. The point of order is sustained, and section 311 is stricken.

Are there any other points of order?

AMENDMENT OFFERED BY MR. HOBSON

Mr. HOBSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBSON:

Page 35, insert the following new section after line 11:

SEC. 311. None of the funds made available in this Act may be used to finance laboratory directed research and development activities at Department of Energy laboratories on behalf of other Federal agencies.

Mr. HOBSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HOBSON. Mr. Chairman, I would just ask for approval of the amendment. This restores the language for one year in the bill.

Mr. VISCLOSKY. Mr. Chairman, I rise in support of the gentleman's amendment.

Mrs. WILSON of New Mexico. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the chairman of the subcommittee is certainly within his rights to try to restrict language to one year, but I would point out that the intent of this section of legislation seriously undermines the ability of the laboratories to do their work. And while he may be able to do this in a narrow way, this is a very important piece of law, and from a policy point of view, very unwise.

I look forward to working with him in conference on substantive matters related to this problem, but I will have to be voting against this amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in support of the Eshoo, DeFazio, Inslee amendment, and I want to thank the committee for agreeing to accept that amendment later, and to thank the committee for their consideration of the economic development projects for shipping in the San Francisco Bay area.

I rise in support of the amendment. Nearly four years ago, energy companies led by Enron purposefully manipulated consumer markets and ruthlessly price gouged California consumers. Recently publicized tapes and financial records from Enron's West Coast trading desk provide the proof. On the tapes, Enron traders can be heard bragging about how they were taking the California utilities—the "grandmothers"—to the "tune of a million bucks or two a day." Just last week, the San Francisco Chronicle noted that the market manipulation and the Enron tapes are a "display of arrogance and abuse that . . . argue powerfully for the need for government to maintain a level of oversight on energy markets."

California consumers have a right to recover the billions of energy overcharges that resulted from this widespread illegal behavior. Yet nearly 4 years after the fact, the Federal Energy Regulatory Commission (FERC) has simply failed to deliver justice to California's energy consumers. Instead of providing timely refunds for the unreasonable rates California consumers were forced to pay, FERC has ignored court orders to give the parties representing the people of California the opportunity to gather new evidence concerning energy market manipulation during the summer of 2000. As a result, FERC has been able to minimize the amount that energy wholesalers and marketers will be required to pay back. Instead, FERC has initiated a slew of largely closed door investigations against individual generators. Settlements in these dockets represent only a fraction of the billions taken from California consumers and industry during the energy crisis.

In Rules Committee, we offered an amendment to help move the process forward fairly by requiring the Commission to publicly disclose all the documents and evidence obtained in its legal proceedings; by allowing the states, like California, affected by market manipulation to fully participate in any and all settlement negotiations; and by adjusting the timeline for the investigation to adequately reflect the period of suspected criminal behavior. That amendment was ruled out of order.

Mr. Chairman, it's time for the Bush Administration to stop dragging its heels and deliver real justice to the people of California—and all up and down the West coast—who were bilked by the bigwigs at Enron out of their hard earned paychecks.

Since the broader amendment was not made in order, we are instead offering an amendment to ensure that none of the money appropriated under this act can be used to circumvent the court order to shine some sunlight into this process by making public the evidence attained through the investigations.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HOBSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. ESHOO

Ms. ESHOO. Yes, Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. ESHOO:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to deny requests for the public release of documents or evidence obtained through or in the Western Energy Markets: Enron Investigation (Docket No. PA02-2), the California Refund case (Docket No. EL00-95), the Anomalous Bidding Investigation (Docket No. IN03-10), or the Physical Withholding Investigation.

Ms. ESHOO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. HOBSON. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 30 minutes to be equally divided and controlled by the proponent and myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentlewoman from California (Ms. ESHOO) is recognized for 15 minutes.

Ms. ESHOO. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple and clear amendment and it states that none of the funds made available in this act may be used to deny requests for the public release of documents or evidence obtained through or in the western energy markets.

What brings this amendment, the intent of this amendment, and why we are making it, Mr. Chairman, is really very clear. There are mounds of evidence relative to the manipulation of energy and the energy markets in the Pacific Northwest and in California between 2000 and 2001. We need to secure what is there. There is so much evidence that is being withheld. That is why we bring this amendment forward.

Mr. Chairman, I yield 1 minutes to the gentlewoman from California (Ms. PELOSI), the very distinct minority leader of the House.

Ms. PELOSI. Mr. Chairman, I thank the distinguished gentlewoman, member of the Committee on Energy and Commerce, for yielding me this time.

I am pleased to rise in support of the Eshoo, DeFazio, Inslee amendment to the energy and water bill. Before I speak to it, though, I want to sing the praises of the very distinguished chairman of the committee, the gentleman from Ohio (Mr. HOBSON), for the leadership that he brings to this committee and the understanding that he has of the issues before it. He is a long-standing and respected member of the Committee on Appropriations on both sides of the aisle. I thank him for his service and leadership.

I also recognize the contribution to all of this and leadership of the gentleman from Indiana (Mr. VISCLOSKY),

the ranking member on the Democratic side of the Subcommittee on Energy and Water Development. I commend them both for this excellent product that they have brought to the floor today.

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Mr. Chairman, before I speak directly to the amendment on the floor, I want to put it in context. Last night, the gentlewoman from California (Ms. ESHOO) went to the Committee on Rules to request a waiver to offer an amendment that would help Western families to get the refunds they deserve after they were ripped off by Enron and others.

The Eshoo amendment as advanced last night would have also allowed States to participate in claims at FERC on behalf of consumers and provided more time for the public to file complaints. The amendment would have put this Congress on record recognizing the misconduct of Enron and other energy companies, and it would have required perspective to disclose the evidence of manipulation that it has accumulated over the past 4 years. It was a very wise amendment. It was exactly what the consumers of the Western States needed to remedy the energies against them.

Unfortunately, and it is hard to understand why, the Committee on Rules, chaired by the gentleman from California (Mr. DREIER), did not allow the amendment to be offered today. We are told this is an open rule with open debate, but the Committee on Rules ruled against Western consumers when it did not allow the original Eshoo amendment to come to the floor. It did not give the consumers the measure they deserve.

That is why I am very pleased that we were able at least to bring a partial amendment and that the gentleman from Ohio (Mr. HOBSON), as I understand, will perhaps be accepting this amendment offered by the gentlewoman from California (Ms. ESHOO), the gentleman from Oregon (Mr. DEFAZIO), and the gentleman from Washington (Mr. INSLEE). This much more limited amendment would ensure public access to documents on the 2000 and 2001 electricity crisis in California and other western States held by the Federal Energy Regulatory Commission.

This amendment is a crucial first step, not as good as what last night would have been, the amendment offered by the gentlewoman from California (Ms. ESHOO) last night, but it is a critical first step in bringing justice to consumers who were gouged by Enron and other energy companies; but it is not enough.

Mr. Chairman, the constituents of those of us who represent the western States were victims of an enormous scam. Yes, the electricity deregulation signed by Republican Governor Pete Wilson was fatally flawed; but when the flaws became clear, when the elec-

tricity crisis began to spike, when the blackouts began to roll across California, the Federal Energy Regulatory Commission should have been our safety net. Instead, month after month as electricity prices went sky high, FERC refused to act.

Time and time again, my Western colleagues, the gentleman from Washington (Mr. INSLEE), the gentleman from Oregon (Mr. DEFAZIO), the gentlewoman from Oregon (Ms. HOOLEY), and so many others stood together to call on FERC and President Bush to stop the looting of the western States by rapacious energy companies. We wrote to FERC. We wrote to the FERC. We stood up in the Committee on Appropriations. We stood up on the floor of the House, but time and time again FERC failed to stop the rampant abuse of consumers by Enron and other energy companies.

Finally, as Western consumers had lost billions of dollars and the worst of the damage was done, FERC stepped in and brought the Western electricity markets under control. We knew all along that Enron and the energy companies were gaming the system.

The tapes, the now notorious tapes that every Member of this body has an obligation to observe, the tapes of the Enron traders confirm what we knew all along, that Enron and the other energy companies were laughing all the way to the bank as they stole from families and businesses of California.

Enron and its kind lied, cheated and stole; and it is long past time for Enron to pay consumers and the States back, as the amendment of the gentlewoman from California (Ms. ESHOO) that she offered last night, but was turned down by the Committee on Rules, would have required.

Even after adoption of this amendment that we are considering today, settlements will still be made by FERC behind closed doors without representatives of the States present. We wish we were voting today on the original Eshoo amendment that we wanted so that the House could address the larger problems; but at least with the cooperation of the gentleman from Ohio (Mr. HOBSON), we are taking this first step toward justice for consumers.

I think that the handwriting was on the wall. I think it was a wise move by the gentleman from Ohio (Mr. HOBSON), because I do not think he wanted to subject his Members to voting against this amendment.

Mr. DREIER. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. Mr. Chairman, I will yield in a minute.

We wish that we were voting today on the amendment that we wanted so that the House could address the larger problem, but at least we are taking this first step toward justice for consumers.

Today the House has unanimously agreed that FERC release its evidence of corporate misconduct to the public. That is what the Committee on Rules

should have allowed us to do in a broader way last night, but they rejected it. I call on the Republicans to join us in ensuring that FERC live up to this bipartisan decision and that it release this information.

Mr. Chairman, I will yield a few seconds to the distinguished chairman of the Committee on Rules.

Mr. DREIER. Mr. Chairman, I thank my friend for yielding, and the only reason I am here is that I understand that my good friend from San Francisco, the distinguished minority leader, mentioned the fact that I am in California and the fact that I chair the House Committee on Rules.

Let me just, in light of what was raised, explain, once again as I did during the debate on the rule, exactly what has taken place here.

Ms. PELOSI. Mr. Chairman, reclaiming my time, I think the gentleman can get time from his distinguished chairman to go to that length.

Mr. DREIER. Mr. Chairman, I just wanted to respond to the points that the minority raised.

Ms. PELOSI. Mr. Chairman, I am sure his distinguished chairman will yield him time. My point is because the gentleman was not in the room and I want to reiterate it while he is in the room, I would have hoped he would have been here, because this is an issue of such major concern to our great State of California.

What I said was that the consumers of California were rejected last night in the Committee on Rules, because the chairman of the Committee on Rules would not allow the Eshoo amendment, which would have been the right way to go in order to get refunds for California.

Mr. DREIER. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I think that you are going to have to get time from your own chairman.

Mr. DREIER. Well, I was happy to yield earlier to the gentlewoman when I controlled time in the Committee on Rules.

Ms. PELOSI. Mr. Chairman, for 10 seconds, and I yielded more time to you at this time.

Mr. DREIER. Mr. Chairman, I thank my friend for yielding.

Ms. PELOSI. Mr. Chairman, no, I did not yield. I said when you yielded to me for 10 seconds.

Mr. Chairman, I yield back to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, crimes were committed, and we are simply asking for restitution. At this point, 10 Enron executives have pled guilty, 19 others have been charged, and we are waiting for the charges against Ken Lay, the President's single greatest lifetime contributor, which have not yet come forward.

During the crisis, Vice President CHENEY said the basic problem in California was caused by Californians. He

basically said the ratepayers in Oregon, Washington, and Northern California were at fault. I was in a meeting where he said this was nothing but market forces at work. Of course it has now been proven that Enron manipulated the markets on 473 of 537 days of crisis. People in Oregon and the Pacific Northwest and California are paying a great amount more for their electricity today, generated by the same plants, by many of the same companies, transmitted over the same lines because of the market manipulation by Enron.

Plain and simple, we want justice. Justice means we should have restitution. That is being denied by the Republican majority. It is being denied by the President's Republican-dominated Federal Energy Regulatory Commission. It is being denied by the Republican-led Congress.

But at least here with this amendment, what we will get is some of the information that our utilities could use that is being closely held by the Federal Energy Regulatory Commission under the pretense that they might someday take some action with this to prove that the rates were not just and reasonable and to pursue civil remedies. If the Bush administration will not act in the public interest, will not protect consumers, if the Federal Energy Regulatory Commission will not act in the public interest and protect consumers, then at least the consumers and their utilities can take action on behalf of themselves. But they need this information.

This amendment will make that information available to the public. Some of it, I am sure, will be obscene and as appalling as the tapes we have had so far from Enron where they talk about putting it to the consumers day in and day out and laugh about it, but the acceptance of this amendment will move us down that path even if they will not take positive action to help people.

Mr. HOBSON. Mr. Chairman, I yield 7 minutes to the gentleman from California (Mr. OSE).

Mr. OSE. Mr. Chairman, we talked about this a little earlier today. I was listening to the minority leader's comments very carefully in my office, and I ran over here. I apologize for being a little short of breath.

I just want to refresh everybody's memory about what happened in 2000 and 2001 and to point out the empirical fact that there have been no statewide blackouts or brownouts in California since, frankly, the Republican-dominated FERC got put into place.

First of all, the law was very clear. When the previous administration was in control, these same complaints were uttered, the same concerns were brought to the floor, and the same response was given by FERC down to the last period or punctuation mark. You got no more response from the FERC under Clinton-Gore than you are complaining about today. The reason is

that the law is clear. If you are unhappy about that, change the law.

The prohibition of funds that the gentlewoman is asking for here will not do one thing to create another megawatt of power for California. It will not do a single thing to help us replace the carbon-based, high-polluting facilities that exist in California today with much more efficient and less adverse impact to the environment. It does not do a single thing to reduce the pricing that the California PUC board regulates which is dominated by appointees of former Governor Gray Davis. It does not do a single thing to solve the problem on forward contracting for investor-owned utilities.

I repeat my invitation. I said Horatio earlier. I meant Hannibal. Rather than acting as Hannibal at the gates to the valley of solutions, stopping us from entering, come over and join us. Help us put in place the infrastructure and the technology that California is so good at creating. Help us put that in place to create the megawatts of power that our people need and our factories depend upon. Help us bring power to the peninsula of San Francisco which is probably one of the most difficult places to get power to in the entire United States. Help us eliminate the variability in power that Santa Clara depends upon. Help us bring power to our food processors up and down the State where agriculture remains the largest industry. Abandon this Hannibal at the gates concept and come over here and help us. Instead of haranguing us about past history and attempting to rewrite it, come over here and propose your solutions.

This is not a witch-hunt. It should not be a witch-hunt. The response you are getting today is the same response you got under Clinton-Gore. The law is very clear about what FERC's prerogatives are. So come over here and help us find solutions. Help us create the technology and put it in place that allows us to create power at less adverse impact to our environment.

I know you are environmentalists. I know you are, because I watch you very carefully. One of my models on environmental issues is the gentleman from California (Mr. GEORGE MILLER), one of your fine, outstanding Members and one of your leaders. Help us put that technology in place and make California's environment even more suitable for our use. I know that PG&E is based in San Francisco. They have just gone through a horrendous bankruptcy. I know the gentlewoman as the minority leader is very curious about the outcome.

I am trying to find solutions. We need to work together on this.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. OSE. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I thank the gentleman for his comments, and I thank the gentleman for

his work. But as the gentleman knows, we have been working on some of those solutions. As the gentleman knows, I have been involved in the plants in Yolo County and Solano County and Contra Costa County where we have brought on new generation, clean generation, site-based generation, replacing old, inefficient production of energy. We are working on a cable system now to go under the bay to put power from the East Bay into the South Bay, into San Francisco.

□ 1230

We are working on more efficient pipelines to move fuel around Northern California. So I mean I think clearly those are there.

This amendment is a little different. This is about people who stole money. This is not about people who are building power plants. This is about people who took power out of service. Knowing that if they removed 1 or 2 percent of the power, they would drive up their revenues by hundreds of percent.

Mr. OSE. Madam Chairman, reclaiming my time, I thank the gentleman, who is a neighbor of mine, because all of those are good ideas. And to the extent that we have bad actors that have manipulated the system, we are going to get at it because the chairman is going to probably accept this amendment.

But the point is that we cannot sit here flailing away at the past history. We have to come to a solution, and the solution is along the lines that you would otherwise advocate for and advocated for when President Clinton was here and Vice President Gore was here and advocated for when Governor Davis was in office and now that he is not and those people are gone, you are opposing them. We want to get at the bad actors. There are two or three who manipulated the market. There is no question about it. And they did it to the detriment of every single one of us who lives in California. Every single one of us.

Whether one lives in San Francisco or Modesto or Santa Clara, every single one of us suffered from that. But I ask you to come over here and help us find solutions on a bipartisan manner, on a manner that does not attempt to rewrite history. History is history. It is gone. It is done. It is over. Clinton is gone. Davis is gone. There is no point in pointing the finger. We know what the facts are. Help us put in place the facilities that give us power with the least detriment to our environment, that give us power at the lowest price, that give our investor-owned utilities, who employ thousands of people up and down the State, who give our investor-owned utilities the opportunity to forward contract because if they had the opportunity to do that, to remove the uncertainty on supply, the very same thing that Governor Davis was asked to do, that the PUC was asked to do, that both declined to do, if we gave them that power, we would not have to

build new facilities. We would not have additional constraints on supply. We would not have prices going through the roof.

I want to repeat my compliments to the gentleman from Ohio. I left one thing out earlier. Oftentimes he has been a gentle hand in my tenure here. Sometimes he has been a heavy hand. In every instance I have appreciated it.

I thank the folks on the other side because we are in this together.

Ms. ESHOO. Madam Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Nevada (Ms. BERKLEY).

(Ms. BERKLEY asked and was given permission to revise and extend her remarks.)

Ms. BERKLEY. Madam Chairman, I rise in strong support of Eshoo amendment given the fact that Enron has stolen more than \$1 billion from Nevada's ratepayers by ruthlessly gouging our consumers and our utilities nearly went bankrupt, and that is why the Eshoo amendment is so important.

The Western United States has suffered an artificial energy crisis created by Enron to rake in enormous profits. The company executives deliberately and maliciously manipulated the energy market. Enron stole more than \$1 billion from Nevada's ratepayers by ruthlessly gouging consumers. This is just the tip of the iceberg. It is likely that Enron made more than \$10 billion in profits by breaking the law.

Not only did Enron's actions cost Nevada's families more than \$1 billion, our utilities nearly went bankrupt. We cannot allow this rampant corporate misconduct to continue. After years of asking for answers, people in my state are still waiting for this administration to take measures to correct this wrongdoing and hold Enron accountable.

I urge you to support the Eshoo amendment and ensure that the Enrons of the world cannot collect another fraudulent dime from Nevadans.

Mr. HOBSON. Madam Chairman, I have no further requests for time, and I am prepared to accept the amendment.

Ms. ESHOO. Madam Chairman, I yield 3 minutes to the gentleman from Washington State (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Madam Chairman, blaming the Enron scandal on Bill Clinton, with all due respect, give us a break. The only malediction in this country you have not laid at the feet of Bill Clinton is DICK CHENEY's vocabulary malfunction on the Senate floor, and I suppose that will be next.

We listen to these tapes, and the Enron traders were scandalous scoundrels who were smart. Do my colleagues know what they said on these tapes? We cannot wait until George Bush is President because maybe then we will have Ken Lay as Secretary of Energy.

They understood whose side their bread was buttered and they got what they wanted. They got an administra-

tion that sat on their hands while Enron got into our pockets to the tune of over \$8 billion, and they did nothing. And now the Republican Party, and we very much appreciate the gentleman from Ohio's (Mr. HOBSON) agreeing to this small little amendment, but you are denying us the ability for this Chamber to do exactly what the gentleman from California (Mr. OSE) says we should do: change the law, if that is necessary, to get refunds from Enron. You will not allow this Chamber to vote on that.

The gentleman from California (Mr. OSE) comes here and says, If you do not like the law, change it, but we will not allow a vote to do it.

Let me tell my colleagues why maybe that is necessary. We need one or two things to happen. The fact of the matter is we have written FERC. I have wrote and many other Members have written FERC saying that they have concluded there was a scandal, they have concluded there was theft, they have concluded there was manipulation, but they refuse to give us refunds. And what did Mr. Pat Wood write back and say to me? "Therefore, FDA Section 206 does not permit retroactive refund relief for rates covering periods prior to the refund effective date established on complaint or the initiation of Commission investigation, even if the Commission determines that such past rates were unjust or unreasonable."

It does not matter how many of these records we get. Your administration under George Bush and DICK CHENEY, friends of Ken Lay, are not going to act. Your administration has said if we get a videotape of Ken Lay using all kinds of expletives to take money out of our pockets, you have decided you are not going to act. And that is wrong.

The gentleman from California (Mr. DREIER) says we cannot allow an amendment because this is an appropriation bill. My question is I would like to know the date the House of Representatives, which has now spurned two efforts to get relief from Enron, I want to know the date the House of Representatives is going to give Americans an opportunity to vote to get refunds on an Enron amendment.

I am going to ask the gentleman a real question. What date is this House going to vote to do that?

Mr. DREIER. Madam Chairman, will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from California.

Mr. DREIER. Madam Chairman, obviously I cannot tell the gentleman exactly what date we are going to have a vote. I will tell the gentleman that we voted on H.R. 6.

Mr. INSLEE. Madam Chairman, I reclaim my time. The gentleman from California (Mr. DREIER) is incapable of giving us a date.

I would like to yield to the gentleman from Illinois (Mr. HASTERT), if he would be so kind, if he is com-

fortable with this, in advising us in what situation he may allow to come to the floor of this House an amendment.

Mr. HOBSON. Madam Chairman, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

Mr. DREIER. Madam Chairman, I thank the gentleman for yielding me this time.

This has been a very interesting debate. I have regularly yielded, and I look forward to yielding to the gentleman from Washington (Mr. INSLEE); gentlewoman from San Francisco, the minority leader; or anyone else who wants to talk about this issue because I think that a healthy exchange is important for us.

I will say in response to the question posed by my friend from Washington that every single Member of this House is passionately committed to the goal of ensuring that consumers are not penalized and that they are successfully compensated for any wrong that has been inflicted on them. We all are very, very concerned about the fact that any individual whom we represent could possibly have been done in, and that is why we are in the midst of several very important things.

Number one, the Ninth Circuit Court of Appeals in California is right now in the midst of a measure which is very important. They are considering exactly how to appropriately deal with this issue. FERC, the Federal Energy Regulatory Commission, itself is closely looking at those horrible, horrible transcripts of the things that were said which were absolutely beyond the pale and absolutely reprehensible. No one of either political party is somehow sympathetic with hurting our constituents.

So that is why to me it is absolutely outrageous for us to constantly be painted as somehow sympathetic with people like those involved in Enron.

I do not want to spend time going into the list of campaign contributions and all of this sort of stuff that has gone on, but I recall that our friends on the other side of the aisle have received just as much, if not more, in campaign contributions from many of those who are in question. This is an issue, as the gentleman from California (Mr. OSE) has said, that we want to address in a bipartisan way.

We last week passed H.R. 6, energy legislation, which also goes a long way towards trying to address this issue by enhancing the ability of the Federal Energy Regulatory Commission to address this. When we yesterday had the gentlewoman from California (Ms. ESHOO) and the gentlewoman from California (Ms. LOFGREN) testify before the Committee on Rules, I know my friend will remember what I said.

I said please work to fashion this amendment so that it will comply within the rules of the House, so that the bipartisan request made by the gentleman from Ohio (Mr. HOBSON) and the gentleman from Indiana (Mr. VISCLOSKEY) protecting the legislation

itself but allowing for an open amendment process would be the way that we could go, and that is exactly what she has done. That is why the gentleman from Ohio (Mr. HOBSON) has stood here ready to accept the amendment. He is ready to accept the amendment which will help us address this issue.

Ms. ESHOO. Madam Chairman, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from California.

Ms. ESHOO. Madam Chairman, we made our presentation. The gentleman was complimentary of how the presentation was made and of the substance and the last thing he said was, I cannot support this amendment. That is what he said.

Mr. DREIER. Madam Chairman, reclaiming my time, that is not what I said. I am happy to yield again if the gentlewoman would like to challenge me on this.

What I said was that the amendment as proposed did not comply with the rules of the House.

Ms. ESHOO. Madam Chairman, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from California.

Ms. ESHOO. I thank the gentleman for yielding to me.

I asked that the Committee on Rules waive in order for the amendment to be accepted.

Mr. DREIER. Madam Chairman, reclaiming my time, that was the request that was made. And I will tell the gentlewoman the request that was made for the structure of the rule by the chairman of the subcommittee and the ranking minority member of the subcommittee was that we have an open amendment process and provide protection for those provisions that were reported out of the Committee on Appropriations, and that is exactly what we did.

The bipartisan request for the structure of the rule is what we put together and what we reported out. It would have been extraordinary if we had, in fact, provided a waiver that would have allowed for this amendment. That was why I made the request of my friend, to fashion a rule so that we can address our shared concern to ensure that our constituents are correctly compensated and are not done in. And that is, I believe, exactly what has happened, along with passage of H.R. 6, our legislation, and the case that is underway before the Ninth Circuit Court of Appeals.

Madam Chairman, would anyone else like for me to yield to them? Would the minority leader like me to yield? Is there anyone else who would like me to answer questions? I am more than happy to.

Mr. INSLEE. Madam Chairman, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Washington.

Mr. INSLEE. Madam Chairman, I think I understand the nature of the gentleman's argument. But the problem that we have on this side is that

not only have we offered an amendment in the appropriations process to allow refunds for Americans who have been gouged by Enron, but we also offered essentially the same amendment on the energy bill that was clearly germane to the issue, clearly would have been allowable, and under his leadership in the Committee on Rules, it was refused to be allowed under the energy bill.

Mr. DREIER. Madam Chairman, reclaiming my time, I will say that if one goes back and looks at legislation that we passed in this House, H.R. 6, it, in fact, takes very bold steps towards ensuring that our constituents are correctly compensated. And so we have done just that.

Madam Chairman, I thank my friend for yielding me this time, and I know that I have nearly exhausted the time for this side.

Ms. ESHOO. Madam Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

□ 1245

Mr. DEFAZIO. Madam Chairman, there is a simple fact here: crimes were committed. At this point, 10 Enron executives have gone to jail. They defrauded the ratepaying public, the businesses, the homeowners, the factories of the Western United States, and illegally extorted money from them by manipulating the market.

Now, there is a lot of reconstructive history going on here today. The Clinton administration did impose price caps, actually. It was the Federal Energy Regulatory Commission, led by Pat Wood of Texas, under the leadership of George Bush of Texas and DICK CHENEY of Texas, now Wyoming, who refused to take any action, said that these were merely market forces at work. DICK CHENEY said at a meeting that I was in that unless we built one 500-megawatt plant a week for the next 15 years, this would continue.

Well, of course, he was pretty famously wrong. It was market manipulation. People have now gone to jail. We have crimes.

But what we do not have is restitution. The law must be changed. Even if the Bush appointee leading the Federal Energy Regulatory Commission, from Texas, wants to give refunds to ratepayers in the Western United States, he has said he does not have that authority.

We have asked simply for a vote to give him that authority. We do not have to mandate. If he is going to do his job, just give him the authority and let him go to work and give that money back to the people in the Western United States. It was stolen from them.

Earlier we talked about put this behind us. The gentleman talked about putting it behind us. It is history. Well, you really cannot put a crime behind you when you have not had restitution, and we have not had our restitution. In fact, we are still paying more for our electricity today, day in, day out.

Nothing is more detrimental to the economic recovery of the Pacific Northwest than the fact that we are still paying more than we should for our electricity because it was stolen from us by the Enron Corporation, based in Texas, and no relief has been granted by the Federal Energy Regulatory Commission, led by Pat Wood of Texas, who was recommended for that job by Ken Lay of Enron, who still has not gone to jail and who was factually before this campaign the single largest lifetime contributor to George Bush, the President of the United States.

This stinks.

Ms. ESHOO. Madam Chairman, I yield to the gentlewoman from California (Mrs. DAVIS), for the purpose of a unanimous consent request.

(Mrs. DAVIS of California asked and was given permission to revise and extend her remarks.)

Mrs. DAVIS of California. Madam Chairman, I rise in support of this amendment, because I think it is appropriate to address the failure of FERC for adjusting reasonable rates within this energy bill.

I support the Energy and Water Bill that is before us today because on balance there are a number of important programs that are supported.

However, it is an energy bill, and it has failed to address a critical energy issue facing the western states.

I support the amendment of my California colleague Ms. ESHOO.

This bill should address the failure of the Federal Energy Regulatory Commission [FERC] over the past four years to see that energy rates are "fair and just"; to review the evidence in the tapes which they have had in their possession to look for market manipulation; to hold meaningful, public hearings on the energy market gaming that occurred so widely in California and the West Coast beginning in the spring of 2000; and to order the energy companies which committed massive fraud to refund the \$9 billion that should be restored to California ratepayers in addition to refunds for manipulated rates in other states.

You have heard how the recently revealed tapes of employees of the energy companies show that they intentionally, cynically, and repeatedly manipulated energy supplies in order to create exorbitant, unjustified profits for those companies.

My district San Diego bore the brunt of the first tripling of energy bills. Not only the mythical Grandma Millie but many real people suffered: the elderly and frail on fixed incomes; small business owners whose product requires high levels of energy; museums, churches and temples, schools and universities, government offices; and every family struggling to meet its budget.

Congress has an obligation to address this failure by FERC to take action. Potential court action is no excuse for Congressional inaction.

Ms. ESHOO. Madam Chairman, I yield myself the balance of my time to make a closing statement.

Madam Chairman, I thank all of my colleagues that have fought so hard and so courageously for 4 years.

Madam Chairman, this is an issue about greed, greed gone absolutely

wild; and the victims of the greed, this insatiable greed for money, money, money, money, money, are the people of my State of California, the people of the State of Washington, the people of the State of Oregon, the people of the State of Nevada.

I have heard some really outrageous things here today. You, my friends, have been given the power by the people of the United States of America to hold the majority here. For 4 years we have fought. Not one hearing was even granted in the Committee on Energy and Commerce.

We have presented solutions for restitution to our people, for refunds, and have been denied over and over and over again. So there has not only been an abuse of power by the power companies, but by the majority party in this House.

Now we have come forward and requested last evening at the Committee on Rules that all points be waived in order to present an amendment for refunds. That was denied. Now the gentleman from Ohio (Mr. HOBSON) has allowed this limited amendment that we now have on the floor.

Make no mistake, not one Republican from the State of California supported in 4 years a refund to our people. This legislation has been there. We have sent Dear Colleague letters. I will not yield, because I waited 4 years for this moment, and this is for our constituents. They have not used their power to bring about restitution to them.

How much more evidence do you need? You have heard the tapes. It is not just about being upset about the evidence. It is up to us, those who have been vested with the power, to do something on behalf of the consumer. It is not enough to say our constituents have been hurt. Use the power. Use the power to override the power of the power companies that manipulated, that extracted, and then bragged about it.

Shame on anyone that would not stand next to the grandmother that these people referred to and were so gleeful about picking her pockets. Shame on them. Shame on anyone that does not fight every day to make good for these people.

These are the extraordinary, ordinary people of our country. That is who we stand next to. We invite you to finally do something, to take one tiny step, if you have it in you, to do that.

The White House turned us down, the Federal Energy Regulatory Commission turned us down, the chairman of the Committee on Energy and Commerce turned us down over and over and over again.

So I say to those that stand next to the consumer, no matter how frustrating, no matter how dark it has been, let us do something about it. We have had the solution. We come forward now with a very small one.

I thank everyone that has been part of the effort. You have been absolutely

magnificent. And I am proud to serve with those that, even in the worst of times, sought to do something about it. It is what people sent us here for. Do not forget that. That is what our power is for. Not for Enron, not for Reliant, not for people that commit criminal activities against those that send us here to stand up for them.

Madam Chairman, I thank the gentleman from Ohio (Mr. HOBSON) for allowing this to be brought to the floor and debated.

Madam Chairman, I yield back the balance of my time.

Mr. HOBSON. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mrs. BIGGERT). The question is on the amendment offered by the gentleman from California (Ms. ESHOO).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Madam Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. HEFLEY:

Page 38, line 11, after the dollar amount, insert the following: "(reduced by \$28,500,000)".

Mr. HEFLEY. Madam Chairman, I rise today to offer an amendment, which I am going to ask unanimous consent to withdraw, but I do want to make this point: this amendment would cut the line item for the Appalachian Regional Commission by \$28.5 million. The amendment would leave \$10 million for termination of the program.

Three weeks ago, we buried Ronald Reagan. Some of us were moved to reminisce about those days and the ideas that brought many of us here. Looking back, a lot of those ideas that made sense then still make sense today. And one of those ideas was getting rid of the Appalachian Regional Commission, and it still makes sense today.

Now, first of all, I want to applaud the efforts of our chairman, the gentleman from Ohio (Mr. HOBSON), in looking at this program critically and cutting a good deal out of this program. He is going in the right direction. Last year, he stated that if he had his way he would do away with the ARC; and, true to his word, he is doing what he can to eliminate it.

This year, the bill recommends a \$38.5 million appropriation for the commission, \$27.5 million, or about 45 percent, less than the President's request. This is much less than just 5 to 10 years ago, when we spent upwards of \$200 million on this program.

So I am saying, let us go the rest of the way and eliminate this redundant program altogether.

The ARC purports to provide guidance and financial assistance to 13 Appalachian States to promote economic growth in the region. Let me read you those States and you see if by any rea-

sonable definition this is Appalachia. Alabama, Georgia, Kentucky, Maryland, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.

West Virginia was the cornerstone of the Appalachian Commission, and since the Appalachian Commission has been in existence, West Virginia has gone from 43rd in economic development to 49th. So it tells you the effectiveness of the Appalachian Commission.

Until the past few years, the ARC was among our most expensive economic development programs, \$282 million in 1995, just 10 years ago. Yet despite such spending, after 30 years of existence, there is no convincing evidence that the ARC has created new jobs or capital investment. Indeed, there is some evidence that this region is getting poorer relative to the rest of the country.

It is time to try something different. There are other programs that do better what the ARC does less well: the Department of Transportation's highway program, a host of programs under the Department of Housing and Urban Development.

Further, each of the 13 States and within them many of the counties and municipalities within those States have economic development agencies that are better suited and better qualified to judge the needs of these areas than the ARC.

As I said, it is time to phase out this program. But in deference to the excellent job that I think the chairman is doing, the gentleman from Ohio (Mr. HOBSON) is headed in the right direction on this, I will ask unanimous consent that my amendment be withdrawn.

Madam Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from the Colorado?

Mr. HOBSON. Madam Chairman, reserving the right to object, and I will not object, I would just like to state that I appreciate the amendment offered by my colleague from Colorado. I happen to agree with the gentleman about this agency. I think it is one of the biggest pork-barrel projects we have here. When I was on the Committee on the Budget with John Kasich, we tried to do away with this.

However, there are a lot of people that like to give their Governors the ability to do these pork-barrel projects; and, therefore, I do not think this amendment will pass, even though I would probably vote for it. So I appreciate the gentleman withdrawing his amendment.

Madam Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there further objection to the request of the gentleman from Colorado?

Mr. RAHALL. Madam Chairman, reserving the right to object, I appreciate the gentleman from Colorado agreeing

to withdraw his amendment. Of course, I would have spoken very vehemently in opposition to it.

The gentleman has mentioned that my home State of West Virginia is not necessarily being improved by the ARC. I would submit those conditions from whatever report the gentleman is quoting are based on other conditions, other than what ARC has done for our region, because the Appalachian Regional Commission has dramatically improved life in Appalachia, and it has helped us get back on our feet in many depressed areas of this country.

It is a program that works, it works from the grassroots up, not from the top down. So I would submit to the gentleman that the ARC is still vitally needed in many Appalachian poor rural parts of this Nation.

My home State of West Virginia happens to be the only State that is totally within the 13-state ARC region, and we strongly support the program.

Madam Chairman, I rise to protest the amendment to gut the Appalachian Regional Commission ARC, just as we prepare to cut the ribbon on a new wastewater treatment system for Baghdad paid for by the American people. The ARC provides vital infrastructure investments throughout Appalachia, a historically distressed area of the country that spans 13 states including all of West Virginia, my home state.

In the 1960s, President Johnson carried out a promise to help raise the Appalachian region out of its crushing poverty when he formed the ARC. His efforts created a federal-state partnership that works with the people of Appalachia to create opportunities for self-sustaining economic development and improved quality of life.

Today, the ARC plays an integral role in providing for development and jobs throughout 410 counties across a 200,000 square mile region. And, the Appalachian region is dramatically improved because of this effort.

Madam Chairman, some have questioned the value of the ARC. In response, I would like to note a few examples of the good work the ARC has done most recently in Southern West Virginia:

\$1 million grant to the Wyoming County Commission and the eastern Wyoming Public Service District (PSD) for construction of a new water treatment plant that will allow the consolidation of seven local providers into a regional water system serving 1549 customers. Six area communities are currently served by small private water systems (originally built to serve coal camps) that chronically violate water quality standards.

A \$250,000 grant to West Virginia Citizens Conservation Corps, Inc. to the Twin Branch Recreation and Environmental Education Center near Davy, located on reclaimed mine lands, and with the purpose of developing a sustainable outdoor recreation center that would attract visitors to McDowell County. The complex will ultimately include trailheads on the Hatfield-McCoy trail system, campsites and cabins, a retreat center, and an environmental education center.

Other recent ARC projects about which I have proudly spoken in the recent past include:

A \$100,000 grant to the Prichard, WV Public Service District to construct a wastewater col-

lection and treatment system that will provide water to 225 customers and create 148 jobs in Wayne County, WV.

A \$1 million grant to the Glen White/Trap Hill Public Service District in Raleigh County, WV, will fund construction of a three water storage tanks and replace some existing water lines while extending service to surrounding communities that had to rely on underground wells.

In Boone County, WV, a \$680,000 grant from the ARC is being used to extend waterlines to Julian, WV.

A \$75,000 grant to the West Virginia Access Center for Higher Education in Bluefield, WV, to help increase the number of high school students who go on to attend college.

Now, I don't think the people who live in Wyoming County, Twin Branch, Prichard, Glen White, Julian, or Bluefield will claim that the ARC is somehow not worthwhile.

However, Madam Chairman, Mr. Speaker, there remains more work to be done to fulfill the promise made. We're still struggling to get on our feet.

But the amendment will undo all of those efforts. At a time when the Appalachian people need the sustained help to achieve their potential, this amendment would pull the rug out from underneath them.

Madam Chairman, that's just wrong. It's crass, and it's craven.

Madam Chairman, that great West Virginian, Senator ROBERT BYRD, is the sponsor of a Senate bill to complete construction of the Appalachian Development Highway System. I proudly note that I am the sponsor of the House version of the same bill, H.R. 2381, which is cosponsored by my fellow West Virginian and close friend, ALAN MOLLOHAN, and that stalwart ARC supporter from Ohio, my friend TED STRICKLAND. Each of us recognizes the value of the Appalachian Regional Commission.

I urge my colleagues recognize that value too.

I urge my colleagues to remember the ARC is a worthwhile program that has benefited so many lives, and continues to do so.

Vote against this amendment.

Mr. BOUCHER. Madam Chairman, I rise in strong opposition to the amendment offered by the gentleman from Colorado.

The ARC is a tremendous force for progress in the region I represent. Almost every water and wastewater project has an element of ARC funding at its core.

The ARC has helped us build industrial parks, shell buildings and industrial access roads that have enabled broad economic growth.

Community libraries, health care clinics and vital broadband deployment projects have been boosted in my region by the ARC.

Studies have shown that every dollar expended by the ARC on an industry attracting infrastructure project stimulates \$12 in private investment, creating jobs, improving the economy, and expanding revenues for local governments.

The ARC has helped us tremendously, and we need its help in the future as much as in past years.

I urge defeat of the amendment and full funding for the Appalachian Regional Commission.

Mr. OBERSTAR. Madam Chairman, I rise in strong opposition to the amendment offered by the gentleman from Colorado.

Madam Chairman, the Appalachian Regional Commission (ARC) is a true American success story. Throughout its existence, it has consistently risen to the challenge of leveraging federal dollars in a prudent manner, providing a fair return, both socially and economically, for the Federal Government's investment.

The Appalachian Regional Commission was created in 1965 to provide social and economic support to severely distressed counties in the Appalachian states stretching from New York to Mississippi. Its goal is to bring over 23 million citizens in 410 counties into America's economic mainstream.

There is no doubt the public works and infrastructure projects supported by the ARC are having a very positive effect in meeting the challenges of the Appalachian region. Building on their successful strategy of a regional approach, the ARC encourages affected states to work cooperatively to address issues of economic distress particular to the Appalachian region.

Very importantly, Madam Chairman, ARC programs do not duplicate other federal programs. ARC programs respond to locally identified needs and are extremely flexible in their ability to quickly respond to the unique problems of the Appalachian region.

The ARC's record is truly impressive. Under its tenure, the number of distressed counties has been cut by more than half, from 223 in 1965 to 91 in 2004. Furthermore, the poverty rate has been cut by more than half, from 31 percent to 13 percent. Infant mortality has dropped significantly, high school graduation rates now mirror those of the nation as a whole, and more than 800,000 Appalachian residents have access to clean water and sanitation facilities through ARC projects.

In 2003, the ARC's "smart business" approach leveraged \$185,905,000 in other public funds, and over \$464,107,000 in private funds.

Much work still needs to be done. This region has been disproportionately hard hit by loss of jobs in the manufacturing sector. One out of every five jobs lost in manufacturing has been in Appalachia. In northern Appalachia, the steel industry has likewise suffered major job losses, while in central Appalachia the number of workers in the mining industry continues to fall. Unemployment rates stubbornly continue to exceed the national average, and the Appalachian region continues to suffer from disproportionately high rates of chronic disease such as cardiovascular disease, cancer and diabetes.

Now is certainly not the time to short-change this Commission, which has a proven track record of effectiveness, and efficiency.

Madam Chairman, as I recall the last attempt to dismantle the ARC through a reduction in funding was overwhelmingly rejected by this body by a vote of 328 to 97. I urge my colleagues to join me once again to reject, resoundly and overwhelmingly, this amendment.

Mr. RAHALL. Madam Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there further objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

Ms. LORETTA SANCHEZ of California. Madam Chairman, I move to strike the last word.

Madam Chairman, I rise in strong support of the Energy and Water Development Appropriations Act, H.R. 4614. I would, however, like to ask the distinguished chairman about language in the bill report that would require the Army Corps of Engineers to seek congressional approval whenever the Corps reprograms funds for major water development programs.

□ 1300

My district in Orange County, California, would be particularly affected by any changes to the reprogramming policy. In recent years, the Army Corps of Engineers reprogrammed between \$10 million to \$12 million that Congress had originally appropriated to shore up flood protection along the Santa Ana River in my area.

We are now in dire need of that money to continue building up our flood protection for the growing urban communities in Orange, Riverside, and San Bernardino counties.

Without the successful completion of the project, the corps estimates that over 3.35 million people would be endangered and that it could probably destroy up to \$15 billion in property value if we do not get that project completed.

So I am asking the distinguished chairman, will the Army Corps continue to have the authority to ship money back to those ongoing projects from which it had previously borrowed? I understand there is report language directing the court to return funds to appropriated programs. I would like to know, would this apply to the Santa Ana River Mainstem project?

Mr. HOBSON. Madam Chairman, will the gentlewoman yield?

Ms. LORETTA SANCHEZ of California. I yield to the gentleman from Ohio.

Mr. HOBSON. Madam Chairman, I thank the gentlewoman for her support and her inquiry.

I would assure her that nothing in the bill or the report would prevent the Army Corps of Engineers from returning funds to donor projects. In fact, as the gentlewoman has observed, the bill report includes language that specifically instructs the corps to be as diligent in returning funds as it has been in reprogramming them. Again, I thank the gentlewoman from California for her inquiry and hope this clarification has worked to address her concerns.

The ranking member and I have undertaken a very strong look at the reprogrammings in the Corps of Engineers, much more so than in past years, and we are making them report to us, and we are signing off on them, and we are watching these much more diligently than we had been in the past, and we think it will work out much better in the future.

Ms. LORETTA SANCHEZ of California. Madam Chairman, I know that the gentleman from Ohio (Mr. HOBSON) as the other subcommittee had been able to tighten things up also, and I ap-

preciate the new policy that the gentleman is trying to move forward. Again, I am just concerned, as this is a major project for almost 4 million people in that area, and we are at that point where we are really going to get a lot of it done, and we need those funds to be brought back in.

Mr. HOBSON. Madam Chairman, I agree.

AMENDMENT OFFERED BY MRS. WILSON OF NEW MEXICO

Mrs. WILSON of New Mexico. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. WILSON of New Mexico:

Page 21, line 16, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 23, line 16, after the dollar amount, insert "(increased by \$5,000,000)".

Mrs. WILSON of New Mexico (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Mr. HOBSON. Madam Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 10 minutes to be equally divided and controlled by the proponent and myself, the opponent.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mrs. WILSON of New Mexico. Madam Chairman, I yield myself such time as I may consume.

(Mrs. WILSON of New Mexico asked and was given permission to revise and extend her remarks.)

Mrs. WILSON of New Mexico. Madam Chairman, this amendment transfers \$5 million from administrative accounts in the Department of Energy to two different programs in the Defense Nuclear Nonproliferation account. Those two programs do two things: first, accelerate the return of highly enriched uranium from Russian-built reactors abroad and transition those reactors to low-enriched uranium; and, secondly, convert other reactors to low-enriched uranium.

All of us here understand the difficulty and the importance of nonproliferation efforts. One of the most successful efforts has been working with the Russians and with others to consolidate highly enriched uranium, because the material is the most difficult thing to get in order to build a nuclear weapon.

In the House Committee on Armed Services we had discussions about whether these programs could be accelerated and how fast they could be accelerated. Unfortunately, we did not get answers to those questions before the Defense authorization bill passed this House, and we will have to address it in conference.

Since this time, the administration has come forward with numbers and with a global threat initiative focusing, in particular, on consolidation of nuclear material. And the answer is, to accelerate this program significantly, they can do so with a very small amount of money, and that is the \$5 million we are proposing to move.

It takes that money from the administrative line in the Department. I would note that the Department administration has been increased by \$28 million over the previous year, and I think that a priority must be for this House to make very clear that we wish to accelerate the consolidation of highly enriched uranium around the world.

I would also, Madam Chairman, like to express my concerns about other problems in the report language to this, that accompanies this bill. I intend to vote in favor of this bill. We cannot amend report language, because report language does not have the status of law. But when I vote "yes," I am not voting "yes" on the report language. There are serious problems with the report language: inconsistencies in the report language with actually other elements of law. But the overall numbers in the bill will allow the Department of Energy to carry out its important work for the Nation, and the weapons program in particular is funded at \$6.5 billion.

I would particularly like to applaud the chairman on his increase in research in the Office of Science, and I would urge support of my amendment and the acceptance of the amendment so that we can accelerate the consolidation of this material elsewhere and accelerate the transitioning of reactors around the world from using highly enriched uranium which can be used in nuclear weapons to low-enriched uranium, which cannot.

Madam Chairman, I reserve the balance of my time.

Mr. HOBSON. Madam Chairman, I rise in opposition to this amendment, and I yield myself such time as I may consume.

We have been very generous to a lot of the accounts in here. Some of the accounts we have taken money away from that are being stripped out here. I would oppose this amendment. Nonproliferation is very important. Over the years we have continued to fund nonproliferation, even sometimes when the accounts were carried very high. I think this amendment is not meritorious at this time; and, therefore, I oppose the amendment.

Madam Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKEY. Madam Chairman, I simply want to rise to associate myself with the gentleman's remarks and the gentleman's objection. I do appreciate the intent, and I do want to work with the gentlewoman as we proceed at conference, but I am opposed to the amendment.

Mrs. WILSON of New Mexico. Madam Chairman, I yield myself such time as I may consume.

It seems to me that this is a small price to pay to accelerate one of the most important programs for the country in order to fight the problem of proliferation of weapons of mass destruction. It is a very, very small amount of money. And if we weigh the importance of administration and the importance of rapidly accelerating one of the most important programs and consolidating weapons-grade uranium that was formerly in the former Soviet Union, I think there is no question about what our priorities as a Nation should be. It is a small amount of money; and, frankly, I am a little surprised that it was not just accepted by the committee.

Madam Chairman, I yield back the balance of my time.

Mr. HOBSON. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mrs. WILSON of New Mexico. Madam Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON) will be postponed.

Mr. HOBSON. Madam Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mrs. BIGGERT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4614) making appropriations for energy and water development for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 4614, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 4614 in the Committee of the Whole, pursuant to House Resolution 694, that the bill shall be considered as read and open for amendment at any point from page 19, line 16 through the end of the bill; points of order against provisions in the bill shall be permitted to be raised at any time; no further amendment to the bill may be offered, except: pro forma amendments offered by the chairman or ranking member of the Committee on Appropriations or their designees for the purpose of debate; amendment

No. 1, which shall be debatable for 10 minutes; an amendment by Mr. INSLEE regarding the reclassification of nuclear waste, which shall be debatable for 10 minutes; and an amendment by Mr. MEEHAN regarding a transfer of funds between NNSA and the non-proliferation account, which shall be debatable for 20 minutes.

Each such amendment may be offered only by the Member designated in this request, or the designee, or the Member who caused it to be printed, or a designee, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Each amendment shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 694 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4614.

□ 1311

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4614) making appropriations for energy and water development for the fiscal year ending September 30, 2005, and for other purposes, with Mrs. BIGGERT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, a recorded vote demanded on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON) had been postponed.

Pursuant to the order of the House of today, the bill shall be considered as read and open for amendment at any point from page 19, line 16 through the end of the bill.

The text of the bill from page 19, line 16 through the end of the bill is as follows:

NON-DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management site acceleration completion activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$151,850,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, as amended, and title X, subtitle A, of the Energy Policy Act of 1992, \$500,200,000, to be derived from the Fund, to remain available until expended, of which \$100,614,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

NON-DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for non-defense environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, \$291,296,000, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed four passenger motor vehicles for replacement only, including one ambulance, \$3,599,964,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed \$35,000), \$243,876,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total \$122,000,000 in fiscal year 2005 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2005, and any related unappropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2005 appropriation from the general fund estimated at not more than \$121,876,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$41,508,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY

ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and

other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 19 passenger motor vehicles, for replacement only, including not to exceed two buses; \$6,514,424,000 to remain available until expended.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,348,647,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$807,900,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses (not to exceed \$12,000), \$356,200,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE SITE ACCELERATION COMPLETION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense site acceleration completion activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$5,930,837,000, to remain available until expended.

DEFENSE ENVIRONMENTAL SERVICES

For Department of Energy expenses necessary for defense-related environmental services activities that indirectly support the accelerated cleanup and closure mission at environmental management sites, including the purchase, construction, and acquisition of plant and capital equipment and other necessary expenses, and the purchase of not to exceed three ambulances for replacement only, \$957,976,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$697,059,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$131,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$1,500. During fiscal year 2005, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$5,200,000, to remain available until expended: *Provided*, That, notwithstanding the provisions of 31 U.S.C. 3302, up to \$34,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, \$29,352,000, to remain available until expended: *Provided*, That, notwithstanding the provisions of 31 U.S.C. 3302, up to \$1,800,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500, \$173,100,000, to remain available until expended, of which \$170,756,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That, notwithstanding the provisions of 31 U.S.C. 3302, up to \$186,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$2,827,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed \$3,000), \$210,000,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, not to exceed \$210,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2005 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a)(1) None of the funds in this or any other appropriations Act for fiscal year 2005 or any previous fiscal year may be used to make payments for a noncompetitive management and operating contract unless the Secretary of Energy has published in the Federal Register and submitted to the Committees on Appropriations of the House of Representatives and the Senate a written notification, with respect to each such contract, of the Secretary's decision to use competitive procedures for the award of the contract, or to not renew the contract, when the term of the contract expires.

(2) Paragraph (1) does not apply to an extension for up to two years of a noncompetitive management and operating contract, if the extension is for purposes of allowing time to award competitively a new contract, to provide continuity of service between contracts, or to complete a contract that will not be renewed.

(b) In this section:

(1) The term "noncompetitive management and operating contract" means a contract that was awarded more than 50 years ago without competition for the management and operation of Ames Laboratory, Argonne National Laboratory, Lawrence Berkeley National Laboratory, Lawrence Livermore National Laboratory, and Los Alamos National Laboratory.

(2) The term "competitive procedures" has the meaning provided in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403) and includes procedures described in section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) other than a procedure that solicits a proposal from only one source.

(c) For all management and operating contracts other than those listed in subsection (b)(1), none of the funds appropriated by this Act may be used to award a management and operating contract, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on

a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver. At least 60 days before a contract award for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Committees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (P.L. 102-484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the funds made available for obligation by this Act or any other appropriations Act for fiscal year 2005 or any previous fiscal year for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (P.L. 102-484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term "user facility" includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 308. The Administrator of the National Nuclear Security Administration may authorize the manager of a covered nuclear weapons research, development, testing or production facility to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such facility in order to maintain and enhance such capabilities at such facility: *Provided*, That of the amount allocated to a covered nuclear weapons facility each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: *Provided further*, That for purposes of this section, the term "covered nuclear weapons facility" means the following:

(1) the Kansas City Plant, Kansas City, Missouri;

(2) the Y-12 Plant, Oak Ridge, Tennessee;

(3) the Pantex Plant, Amarillo, Texas;

(4) the Savannah River Plant, South Carolina; and

(5) the Nevada Test Site.

SEC. 309. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2005 until the enactment of the Intelligence Authorization Act for fiscal year 2005.

SEC. 310. None of the funds made available in this or any other appropriations Act for fiscal year 2005 or any previous fiscal year may be used to select a site for a Modern Pit Facility during fiscal year 2005.

SEC. 311. None of the funds made available in this Act for fiscal year 2005 or any previous fiscal year may be used to finance laboratory directed research and development activities at Department of Energy laboratories on behalf of other Federal agencies.

SEC. 312. (a) None of the funds made available by this Act may be used to issue any license, approval, or authorization for the export or reexport, or transfer, or retransfer, whether directly or indirectly, of nuclear materials and equipment or sensitive nuclear technology, including items and assistance authorized by section 57 b. of the Atomic Energy Act of 1954 and regulated under part 810 of title 10, Code of Federal Regulations, and nuclear-related items on the Commerce Control List maintained under part 774 of title 15 of the Code of Federal Regulations, to any country whose government has been identified by the Secretary of State as engaged in state sponsorship of terrorist activities (specifically including any country the government of which has been determined by the Secretary of State under section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)), section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), or section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)) to have repeatedly provided support for acts of international terrorism).

(b) This section shall not apply to exports, reexports, transfers, or retransfers of radiation monitoring technologies, surveillance equipment, seals, cameras, tamper-indication devices, nuclear detectors, monitoring systems, or equipment necessary to safely store, transport, or remove hazardous materials, whether such items, services, or information are regulated by the Department of Energy, the Department of Commerce, or the Nuclear Regulatory Commission, except to the extent that such technologies, equipment, seals, cameras, devices, detectors, or systems are available for use in the design or construction of nuclear reactors or nuclear weapons.

(c) The President may waive the application of subsection (a) to a country if the President determines and certifies to Congress that the waiver will not result in any increased risk that the country receiving the waiver will acquire nuclear weapons, nuclear reactors, or any materials or components of nuclear weapons and—

(1) the government of such country has not within the preceding 12-month period willfully aided or abetted the international proliferation of nuclear explosive devices to individuals or groups or willfully aided and abetted an individual or groups in acquiring unsafeguarded nuclear materials;

(2) in the judgment of the President, the government of such country has provided adequate, verifiable assurances that it will cease its support for acts of international terrorism;

(3) the waiver of that subsection is in the vital national security interest of the United States; or

(4) such a waiver is essential to prevent or respond to a serious radiological hazard in the country receiving the waiver that may or does threaten public health and safety.

(d) This section shall apply with respect to exports that have been approved for transfer as of the date of the enactment of this Act but have not yet been transferred as of that date.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109 and hire of passenger motor vehicles, \$38,500,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$20,268,000, to remain available until expended.

DELTA REGIONAL AUTHORITY SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), and 382M(b) of said Act, \$2,096,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed \$15,000), and purchase of promotional items for use in the recruitment of individuals for employment, \$662,777,000, to remain available until expended: *Provided*, That of the amount appropriated herein, \$69,050,000 shall be derived from the Nuclear Waste Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$534,354,300 in fiscal year 2005 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum

herein appropriated shall be reduced by the amount of revenues received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation estimated at not more than \$128,422,700: *Provided further*, that none of the funds made available in this Act or any other appropriations Act for fiscal year 2005, or for any previous fiscal year, may be used by the Commission to issue a license during fiscal year 2005 to construct or operate a new commercial nuclear power plant in the United States.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$7,518,000, to remain available until expended: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$6,766,200 in fiscal year 2005 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2005 so as to result in a final fiscal year 2005 appropriation estimated at not more than \$751,800.

NUCLEAR WASTE TECHNICAL REVIEW BOARD SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$3,177,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

This Act may be cited as the "Energy and Water Development Appropriations Act, 2005".

The CHAIRMAN pro tempore. Points of order against provisions in the bill

shall be permitted to be raised at any time; no further amendment to the bill may be offered, except: pro forma amendments offered by the chairman or ranking member of the Committee on Appropriations or their designees for the purpose of debate; amendment No. 1, which shall be debatable for 10 minutes; an amendment by Mr. INSLEE regarding the reclassification of nuclear waste, which shall be debatable for 10 minutes; and an amendment by Mr. MEEHAN regarding a transfer of funds between NNSA and the non-proliferation account, which shall be debatable for 20 minutes.

Each such amendment may be offered only by the member designated in this request, or a designee, or the Member who caused it to be printed, or a designee, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Each amendment shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent.

POINT OF ORDER

Mr. TOM DAVIS of Virginia. Madam Chairman, I make a point of order.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. TOM DAVIS of Virginia. I make a point of order against section 502. This provision violates clause 2(b) of House Rule XXI. It proposes to change existing law and, therefore, constitutes legislation under an appropriations bill in violation of House rules.

The CHAIRMAN pro tempore. Does any Member wish to be heard on the point of order?

Mr. VISCLOSKEY. Madam Chairman, if I could ask again which section of the bill the gentleman is looking to strike.

Mr. TOM DAVIS of Virginia. Section 502.

Mr. VISCLOSKEY. Madam Chairman, I do not know if the Chair is going to uphold the point of order, but I would simply point out that I think it is a very important provision in this bill. I appreciate the fact that the chairman included it in this legislation; and I think from a social and economic standpoint, it ought to remain in the legislation.

Section 502, paragraph A states that it is the sense of the Congress that to the greatest extent practical, all equipment and products purchased with funds made available in this act should be American-made.

□ 1315

Subsection C of that same section states that if it has been finally determined by a court or Federal agency that any person intentionally affects a label bearing "Made in America" in description or any in description with the same meaning to any product sold or shipped in the United States, that is not made in the United States, the person shall be ineligible to receive any

contract or subcontract made with funds made available in this act.

I understand the gentleman's intent as far as his motion to strike relative to jurisdictional issues, but I do believe this is a very key and fundamental issue to protect American workers in a living wage in the United States of America. And given the problems we have in this country as far as outsourcing where you have people intentionally lying and violating the law so the United States of America, we ought to protect American workers.

I thank the gentleman from Ohio (Mr. HOBSON) for having this measure in this legislation.

The CHAIRMAN pro tempore (Mrs. BIGGERT). Does anyone else wish to be heard on the point of order?

The gentleman from Ohio (Mr. HOBSON) is recognized.

Mr. HOBSON. Madam Chairman, I have not agreed totally with my ranking member, and I understand the chairman's point of order, but we have carried this in our bill for a number of years. We think it has been very productive to carry this in our bill. As far as I know, in the past it has not been challenged and to do so now I think sends the wrong messages. But I understand the Chairman's feeling that this is legislating on appropriation bills. I think sometimes that may be necessary. Maybe we ought to figure out a better way to work with him.

Mr. TOM DAVIS of Virginia. Madam Chairman, I say to my friend from Ohio and my friend from Indiana, they work on our committee. We could probably structure something that would accomplish the goals that they would like to achieve. But we feel this is legislating on an appropriation bill in violation of House rules. Therefore, I would insist on my point of order.

The CHAIRMAN pro tempore. The Chair is prepared to rule.

The Chair finds this provision expresses a legislative sentiment. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the provision is stricken from the bill.

POINT OF ORDER

Mrs. WILSON of New Mexico. Madam Chair, I make a point of order that the final proviso of the Nuclear Regulatory Commission funding, appearing on page 39, lines 23 through page 40 line 4, violates clause 2 of rule XXI of the rules of the House of Representatives prohibiting legislation on appropriations bills.

The proviso restricts funding to the Nuclear Regulatory Commission to issue any commercial nuclear power plant licenses using fiscal year 2005 Energy and Water appropriations funds and funds from "any other appropriations Act for fiscal year 2005 or any previous year." Because the language restricts funding not just for 2005 but for all previous years, it constitutes legislation on an appropriations bill.

For that reason, the language violates clause 2 of rule XXI of the rules of

the House and is subject to a point of order.

The CHAIRMAN pro tempore. Will the gentlewoman respecify the page and line.

Mrs. WILSON of New Mexico. Madam Chairman, I believe it is page 39, line 23 through page 40, line 4.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on the point of order?

Mr. HOBSON. Madam Chairman, I strenuously oppose this approach to the bill. Part of the problem we have is there is no other vehicle where we can do this. This is a very difficult time in our country. We do not have a nuclear repository available in this country to accept the waste that we have today around the country.

To go to the folly, the folly of granting new licenses when we do not have any place to take the material that is in Illinois and move it somewhere and to start granting licenses without a plan in place is not good policy. I do not like having to include this kind of language in this bill, but I think it is important to include it to send a message that the repository is important. The repository is important to the future of this country and the nuclear industry in this country. If we do not start taking a stand on this, then we are going to get things out of whack in this country to the point where we have an even more problem and more costly problem.

Right now, many States in this country cannot move their material. They are under lawsuits, there are all kinds of problems. This bill, because of some other problems, does not move forward even in my judgment enough to getting that repository going.

So, therefore, this language is put in to send a message. I think taking it out sends absolutely the wrong message in this country and it should be retained in this bill.

The CHAIRMAN pro tempore. Does any other Member wish to be heard on this point of order?

The Chair is prepared to rule.

The Chair finds that this provision addresses funds in other acts and, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the provision is stricken from the bill.

AMENDMENT OFFERED BY MR. MEEHAN

Mr. MEEHAN. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MEEHAN:

Page 23, line 5, after the dollar amount, insert "(reduced by \$30,000,000)".

Page 23, line 16, after the dollar amount, insert "(increased by \$30,000,000)".

The CHAIRMAN pro tempore. Pursuant to the order of the House of today, the gentleman from Massachusetts (Mr. MEEHAN) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, this amendment provides an additional \$30 million for the Department of Energy's Global Threat Reduction Initiative to secure, remove, and dispose of nuclear and radiological materials around the world.

In February, President Bush stated in a speech at the National Defense University that the greatest risk to the United States and the world is the possibility of a nuclear or radiological attack. And I could not agree more. And in today's world, the most urgent nuclear threat might not be from hostile states, it may be from a non-state terrorist group.

The technology to produce a nuclear bomb is easier to obtain than we might like to believe. Earlier this year, a Pakistani scientist named A.Q. Khan confessed to operating a global black market for nuclear technology. The head of the International Atomic Energy Agency, Mohamed El Baradei called it a "veritable nuclear Wal-Mart."

The design for a simple nuclear weapon is not beyond the reach of many terrorist groups. The best way, perhaps the only way, to prevent terrorists from obtaining nuclear weapons is to make sure they do not get the ingredients to make one. Alarming, fissile material is in abundant supply around the world today. Some 20 tons of highly enriched uranium exist at 345 civilian facilities in 58 countries, enough to make 1,000 nuclear weapons.

Many of these are academic or industrial facilities that have no more security than a night watchman or a chain link fence. The threat is real.

The CIA determined in 2002 that weapons grade or weapons-usable materials have been stolen from Russia. According to the IAEA, there have been 18 confirmed thefts involving plutonium or enriched uranium in the former Soviet Union. Highly enriched uranium is a dangerous tool in the hands of terrorist groups seeking to develop nuclear weapons. And we must do everything in our power to deter this threat.

The Energy Department already has several programs aimed at securing nuclear and radiological materials around the world, but they are seriously underfunded. I was encouraged to hear that Secretary of Energy Spence Abraham unveiled a new global threat reduction initiative last month which will consolidate and accelerate the four existing programs. This program has been endorsed by political leaders and nonproliferation experts across the political spectrum. In a recent speech, former Senator Sam Nunn calls it a significant global effort.

If we are serious about preventing nuclear terrorism we must cooperatively and effectively with international partners to secure quickly or remove the most at risk dangerous material first, wherever it may be.

We are in a race between cooperation and catastrophe. However, if the Global Threat Reduction Initiative is to suc-

ceed, we have to fund it. Nonproliferation experts at Harvard University and the nuclear threat initiative headed by Sam Nunn argue that we need an additional \$30 million in fiscal 2005 to remove highly enriched uranium from 2 dozen vulnerable sites through the Russian Research Reactor Fuel Return program.

This is one of the four existing programs that have been under the consolidation under the Global Threat Reduction Initiative. Some of my colleagues may argue that we should not be appropriating funds for this new initiative before the Energy Department has submitted a budget request. But I do not think al-Qaeda is waiting for the next fiscal year to seek nuclear materials. And we should not wait to act either.

Moreover, programs like the Russian Research Reactor Fuel Return program have a proven track record developed over many years. In 2001, the United States, Serbia, Russia, the IAEA and the Nuclear Threat Initiative worked together to remove 48 kilograms of potentially vulnerable unirradiated HEU from a research facility in Serbia. This was enough material for two and a half nuclear bombs.

And in December of 2003, the United States, Russia, Bulgaria, and the IAEA collaborated to air lift 16.9 kilograms of HEU from a shut-down research reactor to Bulgaria to a secure facility in Russia.

The urgency is clear, we need to be quicker and bolder in securing these dangerous nuclear and radiological materials. This amendment would boost funding for the global threat reduction initiative by rolling over \$30 million in unobligated balances from the National Nuclear Science Agencies Weapons Activities Account.

Madam Chairman, I reserve the balance my time.

Mr. HOBSON. Madam Chairman, I rise to claim the time in opposition to the amendment, and I yield myself such time as I may consume.

I am opposed to the amendment to increase funding for the Global Threat Reduction Initiative. I am very supportive of the nuclear nonproliferation programs in this bill. We provide a significant additional funds for nonproliferation programs aimed at securing nuclear weapons and weapons grade nuclear material in Russia where the threat is really real. We have been there, we have seen it.

However, as I have said many times since taking over the chairmanship of this subcommittee, I view with great skepticism the large increases that are proposed by the National Nuclear Security Administration, particularly when these new initiatives are proposed outside the regular annual budget and appropriations process.

Unfortunately, the Department of Energy's Global Threat Reduction Initiative announcement at a press conference in May is a perfect example. All of the individual programs that

compromise this initiative are in the nonproliferation budget that we have funded in this bill. These are not activities that are being left out of the Department of Energy's nonproliferation budgets. They are funded at the President's request.

I believe we wrote a fair and balanced bill in the nuclear nonproliferation program very well. I do not support changes that are proposed in this amendment.

Let me close by saying I support the nonproliferation programs targeted in this amendment. As we prepare for conference, I will work with the interested members to address their concerns, but I reluctantly urge a no vote on the amendment.

Madam Chairman, I reserve the balance of my time.

Mr. MEEHAN. Madam Chairman, I yield such time as he may consume to the gentleman from California (Mr. SCHIFF), my friend and co-author of this amendment.

Mr. SCHIFF. Madam Chairman, I rise in support of the Meehan-Schiff amendment to accelerate the funding of the Global Threat Reduction Initiative.

The most significant threat to the national security of the United States is the risk that terrorists will acquire the material, the expertise, and the technology to create a nuclear weapon. Of these three components, the material, the expertise, and the technology, it is the material, highly enriched uranium or plutonium, that has posed the greatest bar to the acquisition of the bomb by terrorists.

□ 1330

And that material is far too easy to obtain. Beginning in the 1950s, the U.S. and Russia exported research reactors with highly enriched uranium to many nations around the world. Today, as my colleague pointed out, 345 operating or shutdown reactors in 58 countries possess highly enriched uranium.

The State Department has identified 24 of the highest priority facilities for clean-out operations, because they contain enough highly enriched uranium to make a bomb. Many of these facilities are terrifyingly insecure.

The energy and water bill contains only \$9.8 million for global clean-out of these reactors, enough to clean out only one site per year. At this pace it will take more than 2 decades to merely clean out the top 24. We cannot wait that long.

Osama bin Laden has declared that the acquisition of weapons of mass destruction is a religious duty. After the Taliban was defeated, blueprints of a crude nuclear program were found in the deserted al Qaeda headquarters in Afghanistan. Does anyone doubt that if al Qaeda could assemble a nuclear weapon, they would use it? They would use it.

Last month, the Secretary of Energy announced what may be one of the most important national security initiatives of our time, a \$450 million ef-

fort to clean out highly enriched uranium around the world. We cannot wait to implement this initiative. Al Qaeda is not waiting, and we must act now.

The Secretary's initiative will take almost a decade to implement, and there is no guarantee that nuclear material will not be stolen in the interim. Far from it. We must accelerate the time line for this initiative. Tragically today, we find ourselves in a new nuclear arms race. It is very simply a race as to whether we can secure nuclear material before the terrorists can buy or steal it.

The Meehan-Schiff amendment provides \$30 million in additional funding for this initiative to get this program underway immediately.

We have spent countless billions of dollars on the war in Iraq, a war that was waged to remove stockpiles of weapons of mass destruction from the reach of terrorists. The terrible irony of our present situation is that, while we have not found weapons of mass destruction in Iraq, we know where there are large stockpiles of weapons of mass destruction, large stockpiles of nuclear material, and we have a cooperative means of securing them and placing them beyond the reach of terrorists.

To scrimp on this effort is worse than negligent. It is a betrayal of the public trust. In this race, as Senator Nunn so aptly describes it, we are in a race between cooperation and catastrophe. We must not flag or fail in this race. Vote "yes" on the Schiff-Meehan amendment to jump-start the global threat reduction initiative.

Mr. HOBSON. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I appreciate the gentleman yielding me this time.

I certainly want to congratulate my colleagues from California and Massachusetts for bringing this matter to our attention. I certainly agree with their intent and their assessment of the problem we face. It is one reason why I am happy that in the bill that was crafted by the subcommittee, there is a shift of \$177.5 million for priority targets for nonproliferation. Among others, that includes Russia's strategic rocket forces. It includes megaprojects. It includes the second-line-of-defense efforts in the Baltics and efforts outside the former Soviet Union.

As the chairman had indicated earlier, the Secretary made the announcement of this program in Vienna. He has not had discussion or shared specifics of the program with the subcommittee or committee. There has been no transmission of the specifics to Congress on the program or its implementation.

So while, again, the intent is excellent, against the lack of specifics and given the prioritization within the bill, I would reluctantly express my opposition to the amendment, but would suggest that the chairman and I will work with both gentlemen as we proceed to conference relative to DOE's plan.

Mr. HOBSON. Mr. Chairman, I yield back the balance of my time.

Mr. MEEHAN. Mr. Chairman, I yield myself such time as I may consume.

Just to close, I really think this is an important issue to the national security of the country, and the reason why we bring the amendment forward is nonproliferation experts at Harvard University and the Nuclear Threat Initiative headed by Sam Nunn have clearly stated that we need an additional \$30 million in fiscal year 2005 to remove highly enriched uranium from two dozen vulnerable research reactor sites throughout the Russian reactor fuel program.

That is why we offered the amendment. This is an amendment that would take up obligated balances from the National Security Agency's weapons activities account. So I want to be clear. These are unexpended funds from fiscal year 2004, and shifting these funds will not come at any cost to the NNSA's weapons program or the American taxpayers. Instead, they will help safeguard us against dangerous nuclear and radiological weapons materials, that if they get in the hands of terrorists, as we know they could, could be used to kill thousands or tens of thousands of Americans.

I believe, as the gentleman from California (Mr. SCHIFF) believes, that this amendment is vital to our national security and to our winning the war on terrorism. Therefore, I urge that my colleagues' support this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. LINDER). The question is on the amendment offered by the gentleman from Massachusetts (Mr. MEEHAN).

The question was taken; and the Chairman pro tempore announced that the yeas appeared to have it.

Mr. MEEHAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MEEHAN) will be postponed.

Mr. HOBSON. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Illinois (Mr. SHIMKUS) for the purpose of a colloquy.

Mr. SHIMKUS. Mr. Chairman, I thank the gentleman for yielding. As he knows, and he has spoken so eloquently about the need for a national repository at Yucca Mountain, and I can remember that in the appropriation bill there is \$131 million, and this amount is grossly inadequate for the Yucca Mountain project. At that funding level, the Department of Energy would have to lay off 70 percent of its Yucca Mountain workforce, the license application would be delayed, and the repository opening would be delayed beyond the year 2010. All of the spent nuclear fuel would stay at the 77 field facilities spread out across the country, and this is unacceptable.

Yesterday, the Committee on Energy and Commerce passed a 5-year authorization bill, H.R. 3981, that authorizes

offsetting collection over 5 years from fees paid into the Nuclear Waste Fund. Our proposal could help solve the funding problem and provide the much-needed funds for Yucca Mountain.

The amounts authorized in H.R. 3981 would be sufficient to keep the Yucca Mountain project on track and keep the hundreds of key technical staff employed in the Las Vegas office of the DOE's Yucca Mountain office.

Again, I know of the chairman's strong support for the repository in Yucca Mountain.

I ask the gentleman from Ohio (Chairman HOBSON) if he would work with us as we proceed on this bill and find a way in the conference report to move to increase the funding level for Yucca Mountain.

Mr. HOBSON. Mr. Chairman, I was not going to talk very long on this, but since we spent so much time on California before, the time is gone. So I might as well vent my emotions a little bit more than I was going to.

In February of this year, when I found out what the proposal was from OMB, I tried to reason with him that this was not a political year to do this with this sort of thing. While I agree with the policy, I did not agree with the politics of what was going to happen, because it is very difficult to make the program work, which I must say that the Committee on Energy and Commerce worked so well with us to craft.

The problem is that we were not able to get it all done. We are willing to accept it. We are willing to carry it, but there are certain things we could not get done. We hope that when we get to the conference committee that we can fix this. This, at some point in the process, in my opinion, must be fixed; but I am outraged at certain people who put us in this position. We did not need to be in this position.

Last year, this committee, with my ranking member by my side, came within the most amount of money that has gone into Yucca Mountain in recent history. Our reward for that was not to get the money back we needed this year under the conditions that we could do this without absolute warfare and putting a lot of people, including ourselves and the Committee on the Budget and everybody else into a very, very difficult situation.

While the policy may be good, we have to deal with the other body, and the other body has not been receptive in some respects to funding Yucca Mountain to the degree it should be until last year; but I must share with my colleague, this is a program that this country has taken a position on. It is one of the reasons, on the last amendment, that I do not think we can go forward with new licenses, even though we all want new licenses and even though I am supportive of the nuclear industry and of having this available so that we can have safe, environmentally safe, quality low-cost power. We need to have that, but we have to

have it where we have a repository and we have to solve this problem.

The country has taken a position that this is where the repository is supposed to go. We have spent money on it, tons of money on it, and it is moving forward. This committee, with my ranking member's help, last year got the Department of Energy to move forward and site the railroad so we can take the politics out of where the rail is going to go and not move this material, even though it could have done it through the city of Las Vegas. That does not satisfy a lot of people. Some people just do not want anything.

Well, we are going to have something. At some point, at some point in this process, in spite of the objections of some people, this will have to be fixed for the future of this country and the nuclear power industry, but more importantly, those communities that have been promised from this government that this material would not stay, the spent fuel would not stay in their communities.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the last word, for just one moment.

I would assure the gentleman from Illinois that we all do share his concern. It is my view we have a policy of the United States Government, but that we need a repository.

As the chairman pointed out, we had an extended conference last year with the other body to make sure that Yucca was fully funded. We had a page of permutations as to how to work through the situation OMB placed us in this year. This is not a matter of our doing, and I do assure my colleague that I and the members of the subcommittee want to work through this with the Chair to make sure we proceed in an expeditious manner, and we have to solve this problem.

Mr. SHIMKUS. Mr. Chairman, will the gentleman yield?

Mr. VISCLOSKY. I yield to the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chairman, I thank my colleague, and I would just also remind people and place in the record for this debate, the ratepayers have paid billions of dollars to make this thing move forward, and my ratepayers want to see a return on that investment.

So I thank the gentleman and I thank the chairman.

Mr. HOBSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Georgia (Mr. BURNS).

Mr. BURNS. Mr. Chairman, will the gentleman yield?

Mr. HOBSON. I yield to the gentleman from Georgia.

Mr. BURNS. Mr. Chairman, I thank the chairman for his hard work over the past year in bringing this legislation to the floor and for his willingness to continue working with us, even though we may still face some differences of opinion on several issues that relate to the Savannah River site.

As the chairman knows, we had an amendment that would have requested continued action in the coming year on one of those issues, the selection of a site for a new modern pit facility. I believe that Savannah River site is the leading candidate for the site, and a timely decision on this project would help in planning future operations and also on job levels.

However, I would like for my good friend, the gentleman from South Carolina (Mr. BARRETT), to further express the interests of the Savannah River site.

Mr. BARRETT of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. HOBSON. I yield to the gentleman from South Carolina.

Mr. BARRETT of South Carolina. Mr. Chairman, I thank the chairman for yielding to me.

Mr. Chairman, I would also like to express my strong support for comments just made by my good friend and colleague, the gentleman from Georgia (Mr. BURNS); and it is my hope that in conference with the Senate funding concerns for current and potential programs at the Savannah River site will be addressed.

I look forward to working with the chairman who has been so gracious with us on future issues related to the Savannah River site and would like to extend a personal invitation to the chairman to visit SRS in the upcoming months so that he can see this tremendous asset for our current and future generations.

Mr. HOBSON. Mr. Chairman, I want to thank my colleagues for their work, their very aggressive work, I might add, on behalf of the Savannah River site. That is one site I have not visited in this country yet. We are trying to get around and look at a lot of the different sites. I have some good friends who live down there so it is a very inviting place to go and visit.

□ 1345

I accept your invitation to visit the site and look forward to meeting the men and women doing such important work in your part of the country.

AMENDMENT OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. LINDER). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

At the end of the bill, before the short title, insert the following:

SEC. ____ None of the funds made available in this Act may be used by the Department of Energy to make "waste incidental to reprocessing" determinations in order to reclassify high-level radioactive waste. For purposes of this section, the term "high-level radioactive waste" has the meaning given that term in the Nuclear Waste Policy Act of 1982.

The CHAIRMAN pro tempore. Pursuant to the order of the House of today,

the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

Mr. HOBSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore. The point of order is reserved.

Mr. HEFLEY. Mr. Chairman, I object. Is it not the policy of the House to go from one side to the other side on these amendments?

The CHAIRMAN pro tempore. The Chair recognized the gentleman who stood up at the microphone.

Mr. HEFLEY. Well, that is a different policy than we have been following all afternoon, Mr. Chairman.

Mr. INSLEE. Mr. Chairman, I would be happy to yield to the gentleman, at the Chair's discretion.

The CHAIRMAN pro tempore. The gentleman from Washington (Mr. INSLEE) may withdraw his amendment for a period of time.

Mr. INSLEE. Mr. Chairman, I ask unanimous consent to withdraw my amendment at this time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

AMENDMENT NO. 1 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HEFLEY:

At the end of the bill (before the short title), insert the following:

SEC. _____. Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by \$279,880,000.

The CHAIRMAN pro tempore. Pursuant to the order of the House of today, the gentleman from Colorado (Mr. HEFLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume, and I hope we do not take near that much time, but I rise to offer an amendment to cut the level of funding in this appropriations bill by \$278,880,000, or approximately 1 percent of the total outlays of the bill.

This amendment is in the form of a retrenchment under the Holman rule. If we cut these funds, it will be up to the administration to decide where the cuts should fall. The bill totals approximately \$28 billion, \$49.6 million above the President's request, and \$734.5 million, or 2.7 percent, over last year.

Now, last week, we debated the interior appropriations bill, which actually showed a decrease in funding from last year, and I voted for the bill because I thought that was a terrific step in the right direction towards getting a grip on our deficit. It focused on the core functions, I think, that needed to be

done and eliminated some things which were nonessential.

Now I understand that there are needs that need to be addressed in this bill, important needs, but given this year's budget deficit is still projected at around \$400 billion, I think some of these needs should be postponed.

Energy and water, I believe, should have to meet the same kinds of strictures as the other appropriations bills, namely either a freeze or cut. Naturally, we will hear about the impact of a 1 percent cut on certain specific popular programs, and it is possible a 1 percent cut could impact some of the smallest programs. That is why this amendment leaves those cuts to the administration.

Mr. Chairman, let us look at what the 1 percent cut would mean to other programs. One percent of the \$1.87 billion general construction budget for the Army Corps of Engineers would total \$18.7 million. For one of the Corps' recommendations in my district, \$273,000 for the flood control study along Fountain Creek, 1 percent would amount to \$2,730. Mr. Chairman, \$2,730, though no doubt the Corps would disagree, I cannot see how they would miss that particularly. It probably would not pay for the printing.

Mr. Chairman, we have a terrible deficit. Our children are going to be paying for it. Given that context, I do not think asking the administration to find us a savings of one cent on the dollar is too much to ask.

Mr. Chairman, I reserve the balance of my time.

Mr. HOBSON. Mr. Chairman, I claim the time in opposition to the amendment and I yield myself such time as I may consume.

Mr. Chairman, I have to oppose this amendment. I know there are a lot of things that one may or may not like in this bill, but we started off with the concept in this bill that we would not do any new starts, no new studies, and there were a number of things where we tried to cut back on because our funds were very limited. And, frankly, the bill we got out of the Committee on the Budget would not have allowed us to do many of the things we did for Members because we were about \$400 million short.

But due to some shifting around in the Committee on Appropriations, thanks to the staff and the Members, we were able to come up with some money to help Members. So we have done that.

Now, even though this looks like a small amount of money, when you add it up, it is a big amount of money and it has a lot of negative effect on a lot of projects. Further cuts would just exacerbate the problems we have tried to do in this finely-tuned bill, so I would urge a "no" vote on this bill.

Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member.

Mr. VISCLOSKEY. Mr. Chairman, I appreciate the chairman yielding me this

time, and I would join in his opposition.

I respect my good friend, however, I have to vehemently disagree. The administration has proposed a budget, and it is up to us to make a determination as to how to allocate those resources. The subcommittee has done so in a balanced and fair fashion, and I would ask my colleagues to oppose the amendment.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume, and in closing we are talking about one penny on a dollar. And I think many businessmen will tell you if you cannot find one penny on a dollar of savings, you should not be in business. I think we should apply that to our governmental spending here in our budget.

Mr. Chairman, I yield back the balance of my time.

Mr. HOBSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman pro tempore announced that the yeas appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

AMENDMENT OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

At the end of the bill, before the short title, insert the following:

SEC. _____. None of the funds made available in this Act may be used by the Department of Energy to make "waste incidental to reprocessing" determinations in order to reclassify high-level radioactive waste. For purposes of this section, the term "high-level radioactive waste" has the meaning given that term in the Nuclear Waste Policy Act of 1982.

The CHAIRMAN pro tempore. Pursuant to the order of the House of today, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington (Mr. INSLEE.)

Mr. HOBSON. Mr. Chairman, I rise to reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore. A point of order is reserved.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I intend to withdraw my amendment, but prior to that I would like to enter into a colloquy with the gentleman from Ohio (Mr. HOBSON).

First, I would like to thank the chairman of the subcommittee, the gentleman from Ohio (Mr. HOBSON) and

the ranking member, the gentleman from Indiana (Mr. VISCLOSKEY) for their continued support for funding the cleanup at the Hanford site in Washington. And I want to particularly thank Chairman HOBSON for his stalwart work in ending this practice of dumping waste in unlined trenches. He has truly been remarkable, and the people of the State of Washington appreciate his efforts.

The Department of Energy has been seeking legislative authority to reclassify high-level radioactive waste as "waste incidental to reprocessing." This high-level waste contains highly toxic radionuclides stored in underground tanks at sites in the State of Washington, South Carolina, Idaho, and New York. In agreement with these States and with Congress, the Department is required to remove as much of these wastes as is technically feasible.

In order to achieve its target deadline for cleaning up these tanks, the Department now argues that it requires the authority to reclassify some of the waste at the bottom of the tanks as "incidental waste," so that these wastes may be left on site or disposed of in a manner that does not live up to the federal agreement. Such authority is currently disputed by many of the involved States, who argue that the long-term impacts of such an action are unknown and potentially harmful to human health.

Does the gentleman agree that it is the intent of Congress that the Department engage in fair and reasonable negotiations with the States and involved parties?

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

Mr. INSLEE. I yield to the gentleman from Ohio.

Mr. HOBSON. Mr. Chairman, in answer to the gentleman's question, I would say, yes, the House supports a fair and reasonable negotiation with the States and involved parties.

And I should tell the gentleman that I have been out there and looked at these tanks, and also, as the gentleman spoke about last year, we made him a promise we would take care of the unlined trenches, and I believe, as of yesterday, their record of decision is that the citizens out there deserve this, and I think it is going to go forward.

But in answer, yes, I think we do need to negotiate with the States and the involved parties on this.

Mr. INSLEE. Mr. Chairman, reclaiming my time, I thank the gentleman.

And would the gentleman agree that any strategy to resolve the issue should be consistent nationwide?

Mr. HOBSON. Well, if the gentleman will continue to yield, yes. And I think in some other instances in this bill we have also taken a stand that you cannot have one standard one place and one standard another. So any conclusion must be comprehensive and consistent nationwide.

Mr. INSLEE. Mr. Chairman, finally, does the gentleman agree that the

House should strongly encourage the conferees to the defense authorization bill to retain the language in the House Report requiring the Secretary of Energy to engage the National Research Council to study the Department's plans to manage its high-level waste streams instead of providing the Department blanket reclassification authority?

Mr. HOBSON. I agree.

Mr. INSLEE. Once again reclaiming my time, Mr. Chairman, I want to thank the gentleman for his efforts to move the DOE in the right direction.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there any objection to the request of the gentleman from Washington?

There was no objection.

Mr. HOBSON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, will the gentleman yield?

Mr. HOBSON. I yield to the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I appreciate the chairman's willingness to enter into a colloquy and to yield to me on this issue. I would just say to him that Missouri is downstream from where I live.

Mr. Chairman, I had authored an amendment to this legislation that would prohibit funds intended for use for endangered species' habitat restoration from being used by the Fish and Wildlife Service and State Departments of Natural Resources. I am not pursuing this amendment because the good gentleman from Ohio has agreed the funding in this act should be used for its intended purposes.

As the Members of this body may remember, every year the energy and water development appropriations bill brings to light the issues of the Missouri River, which flows along the border of the district I represent in western Iowa. In the ecosystem of the Missouri River, there are three endangered species, the least tern, the piping plover, and the pallid sturgeon. A dire legal situation involving regulation of the Missouri River flow has resulted in complex reg. issues that impact the entire Missouri River basin. A multiplicity of interests, including agriculture, flood control, river freight transportation, electrical generation, water, recreation, and the environment have been impacted by decisions affecting the flow of the river.

Currently, the Army Corps of Engineers is working on a habitat restoration for the two birds and the fish that have created such a problem for people who need the river for economic reasons. As they have been working to reestablish this habitat, we have discovered some of the money that is diverted to Fish and Wildlife and State Departments of Natural Resources to help with this effort is being used for other purposes, such as duck habitat.

Mr. Chairman, my father took me to the duck blind when I was two years old. I have been going there ever since, that is half a century or more, and I can tell you there is no endangered species of ducks in my district. As much as I like duck habitat, it should not be at the expense of funds that are directed to priority habitat for endangered species, which can go a long ways towards resolving this Missouri River issue.

So not only do I care to see the issues of the Missouri River resolved, as a responsible Member of this body, I also believe it is our responsibility to stop abuse in its tracks. My amendment would have alleviated both of these problems.

Mr. HOBSON. Mr. Chairman, reclaiming my time, I agree with the gentleman from Iowa (Mr. KING) that the purposes and intentions of this act should be met. The funds appropriated for endangered species habitat restoration on the Missouri River should be used for those purposes.

As the Army Corps of Engineers works to that end, let us encourage the Corps to properly oversee that the funds are being utilized for their purposes.

Mr. KING of Iowa. Mr. Chairman, if the gentleman will continue to yield, I thank the distinguished chairman for his consideration of this issue.

Mr. HOBSON. Mr. Chairman, I move to strike the last word, and I seek this time to enter into a colloquy with the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Chairman, will the gentleman yield?

Mr. HOBSON. Mr. Chairman, I yield to the gentleman from Ohio.

(Mr. PORTMAN asked and was given permission to revise and extend his remarks.)

Mr. PORTMAN. Mr. Chairman, I wanted to rise to congratulate the chairman on balancing difficult competing interests in this legislation. Once again, I think we will see on final passage what a good job he has done.

But in particular, I want to thank him very much for helping with regard to our energy needs at the Port Smith Gaseous Diffusion Plant. Once again, he has provided the President's request and has been instrumental in being sure that we have not only jobs in southern Ohio but that the centrifuge technology moves forward, which is so critical to our Nation's energy security.

So, again, I rise to congratulate the chairman, and I look forward to working with him going into the future, and congratulate him on his bill and strongly support it this afternoon.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 5 offered by the gentleman from Vermont (Mr.

SANDERS), amendment offered by the gentlewoman from New Mexico (Mrs. WILSON), amendment offered by the gentleman from Massachusetts (Mr. MEEHAN), and amendment No. 1 offered by the gentleman from Colorado (Mr. HEFLEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

□ 1400

AMENDMENT NO. 5 OFFERED BY MR. SANDERS

The CHAIRMAN pro tempore (Mr. LINDER). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 241, not voting 42, as follows:

[Roll No. 321]

AYES—150

Abercrombie	Hinchey	Nussle
Alexander	Hinojosa	Oberstar
Allen	Hoeffel	Obey
Andrews	Holt	Oliver
Baca	Hoolley (OR)	Owens
Baird	Hoyer	Pallone
Baldwin	Inslee	Pascarell
Bartlett (MD)	Israel	Payne
Becerra	Jackson (IL)	Peterson (MN)
Berkley	Jackson-Lee	Pomeroy
Bishop (GA)	(TX)	Price (NC)
Bishop (NY)	Jefferson	Rahall
Blumenauer	Johnson (IL)	Ramstad
Boehrlert	Jones (OH)	Rangel
Boswell	Kaptur	Roybal-Allard
Brown (OH)	Kelly	Ruppersberger
Brown, Corrine	Kennedy (RI)	Rush
Capps	Kildee	Ryan (OH)
Capuano	Kind	Ryan (WI)
Cardin	Kleczka	Sabo
Case	Kucinich	Sánchez, Linda
Clay	Lampson	T.
Clyburn	Langevin	Sanders
Conyers	Larsen (WA)	Schakowsky
Cooper	Latham	Scott (VA)
Costello	Leach	Sensenbrenner
Crowley	Lee	Serrano
Cummings	Levin	Shays
Davis (AL)	Lowey	Sherman
Davis (CA)	Majette	Simmons
Davis (FL)	Maloney	Smith (NJ)
Davis (IL)	Markey	Solis
DeFazio	McCarthy (NY)	Stark
DeGette	McCollum	Strickland
Dingell	McDermott	Stupak
Doggett	McGovern	Tanner
Doyle	McNulty	Terry
Ehlers	Meehan	Thompson (MS)
Emanuel	Meek (FL)	Tierney
Engel	Meeks (NY)	Towns
Evans	Menendez	Udall (CO)
Farr	Michaud	Udall (NM)
Fattah	Millender	Van Hollen
Filner	McDonald	Velázquez
Ford	Miller (NC)	Waters
Frank (MA)	Moore	Watson
Green (TX)	Moran (KS)	Watt
Green (WI)	Moran (VA)	Waxman
Grijalva	Nadler	Weiner
Gutierrez	Napolitano	Wexler
Herseth	Neal (MA)	Wu

NOES—241

Aderholt	Gillmor	Ortiz
Akin	Gingrey	Osborne
Bachus	Gonzalez	Ose
Baker	Goode	Otter
Ballenger	Goodlatte	Oxley
Barrett (SC)	Gordon	Pastor
Bass	Goss	Pearce
Beauprez	Granger	Pelosi
Bell	Graves	Pence
Bereuter	Greenwood	Petri
Berry	Gutknecht	Pickering
Biggert	Hall	Pitts
Bilirakis	Harris	Platts
Bishop (UT)	Hart	Pombo
Blackburn	Hayes	Porter
Blunt	Hayworth	Portman
Boehner	Hefley	Putnam
Bonilla	Hensarling	Quinn
Bonner	Herger	Radanovich
Bono	Hill	Regula
Boozman	Hobson	Rehberg
Boucher	Hoekstra	Renzi
Bradley (NH)	Holden	Reyes
Brady (PA)	Honda	Rogers (AL)
Brady (TX)	Hostettler	Rogers (KY)
Brown (SC)	Hulshof	Rogers (MI)
Brown-Waite,	Hunter	Rohrabacher
Ginny	Hyde	Ros-Lehtinen
Burns	Issa	Ross
Burr	Istook	Royce
Burton (IN)	Jenkins	Sanchez, Loretta
Buyer	Johnson (CT)	Sandlin
Calvert	Johnson, E. B.	Saxton
Camp	Johnson, Sam	Schiff
Cannon	Kanjorski	Schrock
Cantor	Keller	Scott (GA)
Capito	Kennedy (MN)	Sessions
Cardoza	King (IA)	Shadegg
Carson (OK)	King (NY)	Shaw
Carter	Kingston	Sherwood
Castle	Kirk	Shimkus
Chabot	Kline	Shuster
Chandler	Knollenberg	Simpson
Chocola	Kolbe	Skelton
Cole	LaHood	Smith (TX)
Cox	Lantos	Smith (WA)
Cramer	Larson (CT)	Snyder
Crane	LaTourette	Souder
Crenshaw	Lewis (CA)	Spratt
Culberson	Lewis (KY)	Stearns
Davis (TN)	Linder	Stenholm
Davis, Jo Ann	LoBiondo	Sullivan
Davis, Tom	Lofgren	Sweeney
DeLauro	Lucas (KY)	Tancred
DeLay	Lucas (OK)	Tauscher
DeMint	Lynch	Taylor (MS)
Diaz-Balart, L.	Manzullo	Taylor (NC)
Diaz-Balart, M.	Marshall	Thompson (CA)
Doolittle	Matheson	Thornberry
Dreier	Matsui	Tiahrt
Duncan	McCotter	Tiberi
Edwards	McCrery	Toomey
Emerson	McHugh	Turner (OH)
English	McInnis	Turner (TX)
Eshoo	McIntyre	Upton
Etheridge	McKeon	Visclosky
Everett	Mica	Walden (OR)
Feeney	Miller (FL)	Walsh
Ferguson	Miller (MI)	Wamp
Flake	Miller, Gary	Weldon (FL)
Foley	Miller, George	Weldon (PA)
Forbes	Murphy	Weller
Fossella	Murtha	Whitfield
Garcia	Musgrave	Wicker
Franks (AZ)	Myrick	Wilson (NM)
Frelinghuysen	Nethercutt	Wilson (SC)
Frost	Neugebauer	Wolf
Gallegly	Ney	Woolsey
Garrett (NJ)	Northup	Wynn
Gerlach	Norwood	Young (FL)
Gibbons	Nunes	
Gilchrest		

NOT VOTING—42

Dooley (CA)	Mollohan
Dunn	Paul
Gephardt	Peterson (PA)
Harman	Pryce (OH)
Hastings (FL)	Reynolds
Hastings (WA)	Rodriguez
Houghton	Rothman
Isakson	Ryun (KS)
John	Slaughter
Jones (NC)	Smith (MI)
Kilpatrick	Tauzin
Lewis (GA)	Thomas
Lipinski	Vitter
McCarthy (MO)	Young (AK)

□ 1224

Messrs. BEAUPREZ, BARRETT of South Carolina, BRADY of Texas, CARDOZA, LYNCH, HONDA, CHANDLER, and DAVIS of Tennessee changed their vote from “aye” to “no.”

Messrs. JOHNSON of Illinois, SHERMAN, BARTLETT of Maryland, COSTELLO, DOGGETT, TERRY, NUSSLE, RAMSTAD, EHLERS, BISHOP of Georgia, HOLT, and Ms. ROYBAL-ALLARD changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Chairman, on rollcall No. 321, I was unavoidably detained. Had I been present, I would have voted “aye.”

AMENDMENT OFFERED BY MRS. WILSON OF NEW MEXICO

The CHAIRMAN pro tempore (Mr. LINDER). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 224, not voting 46, as follows:

[Roll No. 322]

AYES—163

Abercrombie	Evans	Kind
Allen	Farr	Kleczka
Andrews	Filner	Kucinich
Baca	Flake	Langevin
Baldwin	Foley	Lantos
Bass	Fossella	Larsen (WA)
Becerra	Frank (MA)	Leach
Bereuter	Franks (AZ)	Lee
Berkley	Gibbons	Lucas (OK)
Blumenauer	Gilchrest	Majette
Bono	Gillmor	Maloney
Boswell	Gonzalez	Manzullo
Boucher	Gordon	Markley
Bradley (NH)	Graves	Marshall
Brady (TX)	Green (WI)	Matheson
Brown (OH)	Greenwood	McCarthy (NY)
Cardin	Grijalva	McCollum
Carson (OK)	Gutierrez	McDermott
Case	Hayworth	McIntyre
Chabot	Hefley	McNulty
Chandler	Hensarling	Meehan
Conyers	Herseth	Michaud
Cooper	Hinchey	Millender-
Cox	Hinojosa	McDonald
Crowley	Hoeffel	Miller (NC)
Davis (AL)	Holt	Miller, Gary
Davis (IL)	Hoolley (OR)	Moore
Davis, Tom	Hulshof	Moran (KS)
DeFazio	Inslee	Musgrave
DeGette	Jackson (IL)	Nadler
DeLauro	Jackson-Lee	Napolitano
Diaz-Balart, L.	(TX)	Norwood
Diaz-Balart, M.	Jefferson	Obey
Dingell	Johnson (CT)	Otter
Doggett	Jones (OH)	Owens
Ehlers	Kaptur	Payne
Engel	Kelly	Pearce
English	Kennedy (RI)	Pitts
Etheridge	Kildee	Pomeroy

Porter
Price (NC)
Radanovich
Rangel
Renzi
Rohrabacher
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky

Schiff
Scott (VA)
Sensenbrenner
Shadegg
Sherman
Shimkus
Simmons
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Sullivan
Taylor (MS)

Thornberry
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Walden (OR)
Watson
Waxman
Weiner
Weller
Wexler
Wilson (NM)
Woolsey
Wu

Cunningham
Deal (GA)
Delahunt
Deutsch
Dicks
Dooley (CA)
Dunn
Gephardt
Harman
Hastings (FL)
Hastings (WA)
Houghton
Hunter

Isakson
John
Jones (NC)
Kilpatrick
King (NY)
Lewis (GA)
Lipinski
Lowey
Matsui
McCarthy (MO)
Mollohan
Paul
Peterson (PA)

Pryce (OH)
Reynolds
Rodriguez
Rothman
Ryun (KS)
Slaughter
Smith (MI)
Tauzin
Thomas
Vitter
Young (AK)

Serrano
Shays
Sherman
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland

Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez

Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—235

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Bereuter
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boucher
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Carter
Castle
Chabot
Chocola
Cole
Costello
Cox
Cramer
Crane
Crenshaw
Culberson
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeLay
DeMint
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Emerson
English
Eshoo
Everett
Farr
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)

Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (TX)
Greenwood
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hostettler
Hoyer
Hulshof
Hyde
Israel
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
McCotter
McCrery
McHugh
McInnis
McKeon
Meek (FL)
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer

Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Pastor
Pearce
Pence
Pickering
Pitts
Platts
Pombo
Porter
Portman
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ryan (WI)
Sandlin
Saxton
Schroek
Scott (GA)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (TX)
Souders
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—224

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Beauprez
Bell
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Brady (PA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carter
Castle
Chocola
Chocola
Clyburn
Cole
Costello
Cramer
Crane
Crenshaw
Culberson
Cumming
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
DeLay
DeMint
Doolittle
Doyle
Dreier
Duncan
Edwards
Emanuel
Emerson
Eshoo
Everett
Fattah
Feeney
Ferguson
Forbes
Ford
Frelinghuysen
Frost

Gallegly
Garrett (NJ)
Gerlach
Gingrey
Goode
Goodlatte
Goss
Granger
Green (TX)
Gutknecht
Hall
Harris
Hart
Hayes
Herger
Hill
Hobson
Hoekstra
Holden
Honda
Hostettler
Hoyer
Hyde
Israel
Rehberg
Issa
Istook
Jenkins
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Keller
Kennedy (MN)
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lampson
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
McCotter
McCrery
McGovern
McHugh
McInnis
McKeon
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller (MI)
Miller, George
Moran (VA)
Murphy
Murtha
Myrick
Whitfield
Wicker
Wilson (SC)
Wolf
Wynn
Young (FL)

Nussle
Oberstar
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Pascarell
Pastor
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Platts
Pombo
Portman
Putnam
Quinn
Rahall
Ramstad
Regula
Rehberg
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Sabo
Saxton
Schrock
Scott (GA)
Serrano
Sessions
Shaw
Shays
Sherwood
Shuster
Simpson
Smith (TX)
Souders
Stearns
Stenholm
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Upton
Velázquez
Visclosky
Walsh
Wamp
Watson
Watt
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson (SC)
Wolf
Wynn
Young (FL)

Mr. THOMPSON of California

changed his vote from “aye” to “no.”
So the amendment was rejected.

The result of the vote was announced

as above recorded.

Stated for:
Ms. MCCARTHY of Missouri. Mr. Chairman,

on rollcall No. 322 I was unavoidably detained.

Had I been present, I would have voted “aye.”

AMENDMENT OFFERED BY MEEHAN
The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MEEHAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 151, noes 235, not voting 47, as follows:

[Roll No. 323]

AYES—151

Abercrombie
Allen
Andrews
Baca
Baird
Baldwin
Beccerra
Bell
Berkley
Bishop (NY)
Blumenauer
Boswell
Cardin
Bradley (NH)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Case
Chandler
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Dingell
Doggett
Emanuel
Engel
Etheridge
Evans
Fattah

Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green (WI)
Grijalva
Gutierrez
Hersteth
Hinchey
Hoeffel
Holt
Hooley (OR)
Inslee
Moran (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Kaptur
Kennedy (RI)
Kildee
Kind
Kleczka
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott

McGovern
McIntyre
McNulty
Meehan
Meeks (NY)
Menendez
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascarell
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (VA)
Sensenbrenner

McGovern
McIntyre
McNulty
Meehan
Meeks (NY)
Menendez
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascarell
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (VA)
Sensenbrenner

NOT VOTING—47

Ackerman
Barton (TX)
Berman

Boyd
Burgess
Carson (IN)

Coble
Collins
Cubin

Coble
Collins
Cubin

Coble
Collins
Cubin

Coble
Collins
Cubin

Ackerman
Ballenger
Barton (TX)
Berman

Boyd
Burgess
Carson (IN)
Coble

Collins
Cubin
Cunningham
Deal (GA)

Delahunt John Reynolds
Deutsch Jones (NC) Rodriguez
Dicks Kilpatrick Rothman
Dooley (CA) King (NY) Ryun (KS)
Dunn Lewis (GA) Sabo
Gephardt Lipinski Slaughter
Harman Lowey Smith (MI)
Hastings (FL) McCarthy (MO) Tauzin
Hastings (WA) Mollohan Thomas
Houghton Paul Vitter
Hunter Peterson (PA) Young (AK)
Isakson Pryce (OH)

□ 1439

Mr. ABERCROMBIE changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Chairman, on rollcall No. 323, I was unavoidably detained. Had I been present, I would have voted “aye.”

AMENDMENT NO. 1 OFFERED BY MR. HEFLEY

The CHAIRMAN pro tempore (Mr. LINDER). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 68, noes 319, not voting 46, as follows:

[Roll No. 324]

AYES—68

Bachus Gibbons Pence
Barrett (SC) Graves Petri
Bartlett (MD) Green (WI) Pitts
Bass Gutknecht Porter
Beauprez Harris Ramstad
Bishop (UT) Hefley Rogers (MI)
Blackburn Hensarling Rohrabacher
Boehner Hostettler Royce
Brady (TX) Johnson, Sam Ryan (WI)
Burton (IN) Keller Sensenbrenner
Buyer King (IA) Sessions
Cannon Lewis (KY) Shadegg
Chabot Linder Shimkus
Chocola Manzullo Smith (WA)
Crane McCotter Stearns
Davis, Jo Ann Miller (FL) Sullivan
DeMint Miller, Gary Tancred
Diaz-Balart, M. Moran (KS) Tanner
Duncan Musgrave Taylor (MS)
Feeney Myrick Taylor (NC)
Flake Neugebauer Toomey
Franks (AZ) Norwood Wilson (SC)
Garrett (NJ) Otter

NOES—319

Abercrombie Biggart Brown (OH)
Aderholt Bilirakis Brown (SC)
Akin Bishop (GA) Brown, Corrine
Alexander Bishop (NY) Brown-Waite,
Allen Blumenauer Ginny
Andrews Blunt Burns
Baca Boehlert Burr
Baird Bonilla Calvert
Baker Bonner Camp
Baldwin Bono Cantor
Becerra Boozman Capito
Bell Boswell Capps
Bereuter Boucher Capuano
Berkley Bradley (NH) Cardin
Berry Brady (PA) Cardoza

Carson (OK) Carter
Case
Castle
Chandler
Clay
Clyburn
Cole
Conyers
Cooper
Costello
Cox
Cramer
Crenshaw
Crowley
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
DeLauro
DeLay
Diaz-Balart, L.
Dingell
Doggett
Doolittle
Doyle
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green (TX)
Greenwood
Grijalva
Gutierrez
Hall
Hart
Hayes
Hayworth
Herger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hoolley (OR)
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Ackerman
Burgess
Bartlett (MD)
Bartlett (NY)
Bartlett (PA)
Bartlett (TX)
Bartlett (VA)
Bartlett (WI)
Bartlett (WV)
Bartlett (WY)
Bartlett (ZC)
Bartlett (ZD)
Bartlett (ZE)
Bartlett (ZF)
Bartlett (ZG)
Bartlett (ZH)
Bartlett (ZI)
Bartlett (ZJ)
Bartlett (ZK)
Bartlett (ZL)
Bartlett (ZM)
Bartlett (ZN)
Bartlett (ZO)
Bartlett (ZP)
Bartlett (ZQ)
Bartlett (ZR)
Bartlett (ZS)
Bartlett (ZT)
Bartlett (ZU)
Bartlett (ZV)
Bartlett (ZW)
Bartlett (ZX)
Bartlett (ZY)
Bartlett (ZZ)

NOT VOTING—46

Boyd
Burgess
Carson (IN)
Coble
Collins
Cubin
Cunningham
Deal (GA)

Peterson (MN) Peterson (MN)
Pickering
Platts
Pombo
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

□ 1446

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. MCCARTHY of Missouri. Mr. Chairman, on rollcall No. 324, I was unavoidably detained. Had I been present, I would have voted “no.”

The CHAIRMAN pro tempore. Under the rule and the previous order of the House, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FOLEY) having assumed the chair, Mr. LINDER, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4614) making appropriations for energy and water development for the fiscal year ending September 30, 2005, and for other purposes, pursuant to House Resolution 694, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 370, nays 16, not voting 47, as follows:

[Roll No. 325]

YEAS—370

Abercrombie Bishop (UT) Burton (IN)
Aderholt Blackburn Buyer
Akin Blumenauer Calvert
Alexander Blunt Camp
Allen Boehlert Cannon
Baca Boehner Cantor
Bachus Bonilla Capito
Baird Bonner Capps
Baker Bono Capuano
Baldwin Boozman Cardin
Becerra Boswell Cardoza
Bell Boucher Carson (OK)
Bereuter Bradley (NH) Carter
Berry Brady (PA) Case
Biggart Brady (TX) Castle
Bilirakis Brown (OH) Chabot
Bishop (GA) Brown (SC) Chandler
Bishop (NY) Brown, Corrine Chocola
Blumenauer Brown-Waite, Clay
Blunt Burns Clyburn
Boehner Burr Conyers

Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummins
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
DeLauro
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Heger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson

Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
Kingston
Kirk
Klecza
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeke (NY)
Menendez
Mica
Michaud
Millender
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell

Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schroek
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancred
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)

Weldon (PA)
Wexler
Whitfield
Wicker

Wilson (NM)
Wilson (SC)
Wolf
Woolsey

Wu
Wynn
Young (FL)

NAYS—16

Andrews
Berkley
Flake
Franks (AZ)
Gibbons
Hefley
Hensarling
Hostettler
Kucinich
Porter
Royce
Sensenbrenner

Shadegg
Stearns
Terry
Toomey

NOT VOTING—47

Ackerman
Ballenger
Barton (TX)
Berman
Boyd
Burgess
Carson (IN)
Coble
Collins
Cubin
Cunningham
Deal (GA)
DeLaunt
Deutsch
Dicks
Dooley (CA)
Dunn
Gephardt
Harman
Hastings (FL)
Hastings (WA)
Houghton
Isakson
John
Jones (NC)
Kilpatrick
King (NY)
Lewis (GA)
Lipinski
Lowey
McCarthy (MO)
Mollohan
Paul
Peterson (PA)
Pryce (OH)
Reynolds
Rodriguez
Rothman
Ryun (KS)
Sabo
Slaughter
Smith (MI)
Tauzin
Thomas
Vitter
Weller
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised there are 2 minutes in which to record their votes.

□ 1504

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Speaker, on rollcall No. 325, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes 320, 321, 322, 323, 324, and 325. Had I been present, I would have voted "aye" on rollcall votes 321, 322, 323, and 325. I would have voted "nay" on 320 and 324.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, personal reasons prevent me from being present for legislative business scheduled for today, Friday, June 25, 2004. Had I been present, I would have voted "aye" on the amendment offered by Mr. SANDERS (rollcall No. 321); "no" on the amendment offered by Mrs. WILSON of New Mexico (rollcall No. 322); "aye" on the amendment offered by Mr. MEEHAN (rollcall No. 323); "no" on the amendment offered by Mr. HEFLEY (rollcall No. 324); and "aye" on final passage of H.R. 4614, the Energy and Water Appropriations Act for Fiscal Year 2005 (rollcall No. 325).

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 1731. An act to amend title 18, United States Code, to establish penalties for aggravated identity theft, and for other purposes.

H.R. 3846. An act to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1292. An act to establish a servitude and emancipation archival research clearing-house in the National Archives.

S. 1932. An act to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibition facility, to provide criminal and civil penalties for unauthorized distribution of commercial prerelease copyrighted works, and for other purposes.

S. 2192. An act to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises.

S. 2237. An act to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General, and for other purposes.

PERMISSION FOR COMMITTEE ON SCIENCE TO HAVE UNTIL 4 P.M., FRIDAY, JULY 2, 2004 TO FILE SUNDRY REPORTS

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that the Committee on Science be allowed to file the following reports by 4:00 p.m. Friday, July 2:

H.R. 4218, High Performance Computing Revitalization Act of 2004; H.R. 4516, Department of Energy High-End Computing Revitalization Act of 2004; H.R. 3890, To Reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; H.R. 3598, Manufacturing Technology Competitiveness Act of 2004; and H.R. 3980, National Windstorm Impact Reduction Act of 2004.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York.

There was no objection.

PERMISSION FOR COMMITTEE ON FINANCIAL SERVICES TO HAVE UNTIL MIDNIGHT JULY 2, 2004, TO FILE REPORT ON H.R. 3574, REQUIRING MANDATORY EXPENSING OF STOCK OPTIONS GRANTED TO EXECUTIVE OFFICERS

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services have until midnight on July 2, 2004, to file its report on H.R. 3574, a bill to require the mandatory expensing of stock options granted to executive officers and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

DISPENSING WITH CALENDAR
WEDNESDAY BUSINESS ON
WEDNESDAY, JULY 7, 2004

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 7, 2004.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

APPOINTMENT OF HONORABLE
ROSCOE G. BARTLETT OR THE
HONORABLE MIKE PENCE TO
ACT AS SPEAKER PRO TEMPORE
TO SIGN ENROLLED BILLS AND
JOINT RESOLUTIONS THROUGH
JULY 6, 2004

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 25, 2004.

I hereby appoint the Honorable ROSCOE G. BARTLETT or, if he is not available to perform this duty, the Honorable MIKE PENCE to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 6, 2004.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

COMMUNICATION FROM PROFES-
SIONAL STAFF MEMBER OF COM-
MITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

The Speaker pro tempore laid before the House the following communication from Geoff Bowman, Professional Staff Member of the Committee on Transportation and Infrastructure:

HOUSE OF REPRESENTATIVES, COM-
MITTEE ON TRANSPORTATION AND
INFRASTRUCTURE,

Washington, DC, June 23, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the United States Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), for testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

GEOFF BOWMAN,
Professional Staff Member.

UNFAIR ALLOCATION OF
HOMELAND SECURITY FUNDS

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Mr. Speaker, this is the third day in a row that I have come to

the floor to speak in protest of the unfair practice by the City of Miami in allocating Federal urban security money to Broward and Palm Beach Counties. Of the \$30 million allocated to the south Florida urban area, zero dollars, zero, have been assigned to Palm Beach County. For the City of Miami to neglect providing the necessary funding for this county is simply outrageous, in that they have kept 90 percent of these funds for themselves.

Palm Beach County is home to 1.2 million people, and it has a large and very busy international airport, as well as three general aviation airfields. The port of Palm Beach is the fourth busiest container port in Florida and the 18th busiest in the continental United States, making it an attractive target for would-be terrorists.

Mr. Speaker, the hijackers of September 11 spent part of their time in south Florida, and Palm Beach was the site of an anthrax attack, killing one person and injuring many more; and, yet, Palm Beach County is not getting one dime in antiterrorist funds. This is outrageous, Mr. Speaker, and I am asking Homeland Security to designate Broward and Palm Beach Counties as its own region under the Urban Area Security Initiative Program so that we can be eligible to receive the necessary funds we must protect our infrastructure, our community and our residents.

SUSAN FAJT

(Mr. WELDON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON of Florida. Mr. Speaker, I rise to introduce my colleagues in the House to a young lady by the name of Susan Fajt. I am going to rise later into the 5-minute rule and talk a little bit more about her case, but I have a picture here I just want to introduce everyone to that I took in my office yesterday. This lady was injured in a car wreck and could not walk or stand, and she underwent a stem cell treatment and she is now able to walk and stand. Quite miraculous.

The main thing that I want it to point out, I know many people in this body have been led to believe this can only be done with embryonic stem cells. It actually cannot be done with embryonic stem cells. It was done with an adult stem cell. The stem cell was taken from her nose and she is continuing to improve.

Only inside the beltway do people believe what is not true to be true and what is true to be what is not true.

Adult stem cells allow people previously paralyzed to walk.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEARCE). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House,

the following Members will be recognized for 5 minutes each.

TIMKEN AND THE MIDDLE CLASS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, I would like to tell today the tale of two visits. President Bush last year visited Canton, Ohio, visited his friends at the Timken Company. JOHN KERRY today visited Canton, Ohio.

I would like to tell you a little bit about each visit. When President Bush came to Canton, Ohio, he came to the Timken Company, a fourth generation manufacturing firm in Ohio, one of George Bush's largest contributors. The Timken family has given and raised for President Bush well over \$1 million over last 2 years. He came to Mr. Timken's plant and celebrated his program, his economic program.

He stood at the Timken plant and bragged on Timken's workers, as he should have, saying that Timken employees were 10 percent more productive this year, he said that a year ago, this year, than the year before. Ten percent more productive.

Now, a few months later Timken announced, earlier this year, that they had their best, their highest sales, highest quarterly sales they had ever had. A week after that they announced they had a 60 percent increase in earnings per share over the same quarter a year ago. Ten percent more productive workers, highest sales ever, very good earnings per share.

A week later, the Timken management announced that it was closing its three plants in Canton, Ohio, shutting down its Ohio production, laying off 1,300 workers and moving the factories to China.

Now, the President has come to Ohio time after time trying to justify his economic program when Ohio has been a State that has lost one-sixth of its manufacturing jobs. Ohio has been a State that has lost 190 jobs every single day of the Bush administration.

President Bush would be the first President since Herbert Hoover to have lost jobs during his time in office. Yet he goes to Timken, he says that is the picture of the future.

Now, the President's answer to every single piece of bad economic news is two-fold. First of all, the President says more tax cuts for the wealthiest people in society. A person making \$1 million on average last year got a \$123,000 tax cut. More tax cuts for the wealthiest people in our society, the largest corporations in our society, hoping that those tax cuts trickle down and create jobs. That is one of the President's answers.

The other is more trade agreements like the North American Free Trade Agreement, Central American Free Trade Agreement, Free Trade Area of

the Americas, all of these trade agreements that continue to ship jobs, continue to hemorrhage jobs overseas. That has been the President's answer.

Mr. DREIER. Mr. Speaker, would the gentleman yield?

Mr. BROWN of Ohio. I will yield.

Mr. DREIER. Mr. Speaker, I will try to be very brief because I know you only have 5 minutes. I have an hour special order and I will be talking in a little while about this.

I think it is important to note that you just described this sort of trickle down in the area of tax cuts. And it is important to know what you describe as trickle down in the last 9 months has created 1.4 million new jobs right here in the United States. Month before last we saw the largest increase in 45 months in manufacturing jobs.

I am very familiar with the Timken Company. I am very sympathetic and concerned about the issue that has just been raised on that issue.

Similarly, if we look at the issue of trade we now enjoy a quarter of a trillion dollars, a quarter of a trillion dollars in trade between the United States of America and Mexico.

Mr. BROWN of Ohio. Mr. Speaker, reclaiming my time, the fact is this quarter trillion dollars of trade we had a trade surplus with Mexico before NAFTA that is now a turned into a trade deficit. We had a small trade deficit with China when the gentleman from California (Mr. DREIER) came to this body and when I came to this body that is now \$120 billion trade deficit.

The fact is we continue to have lost jobs in our State, even with some economic growth that has taken place in the last few months. Ohio and the Nation still are 2 million jobs behind what President Bush had when he came into office. There were 22 million jobs created during the Clinton administration. There is a net loss of close to 2 million jobs during the Bush administration.

Now, today, Mr. KERRY came to Canton to talk about some of these same issues. Mr. KERRY's solutions are not more tax cuts for the richest people in society, the major contributors to the Republican party.

□ 1515

His solution is not more trade agreements that continue to hemorrhage jobs overseas. His solutions are several things.

First of all, extend unemployment benefits to the million people who have lost their jobs in this country, who have tried to find work and have not and had their benefits expire.

Second, expand rather than eliminate, like the President wants to do, the manufacturing extension program which helps small manufacturers figure out how to navigate the global economy.

Third, Mr. KERRY says Congress should put a hold on trade agreements and go back and re-examine and look at changing the trade agreements that are already in effect.

Fourth, all of us in this body say pass the Crane-Rangel bill, which gives incentives to those companies and rewards those companies which manufacture in this country, rather than the Bush tax breaks that give manufacturing all kinds of incentives to companies that shift jobs overseas.

EXCHANGE OF SPECIAL ORDER TIME

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Indiana (Mr. BURTON).

The SPEAKER pro tempore (Mr. PEARCE). Is there objection to the request of the gentleman from Florida?

There was no objection.

EMBRYONIC STEM CELL RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, I rose a short while ago, spoke for 1 minute about a brave young lady. She was in my office just yesterday, along with another brave young lady. This is Susan Fajt, and she was accompanied by Laura Dominguez. Both had suffered spinal cord injuries. Both ladies were injured in a car wreck. Laura's injury was in the neck, and this young lady's injury was in what we call T-6. It is the thoracic spine which is sort of the upper part of the chest, middle of the chest area.

I practiced medicine for 15 years before I was elected to the House. I still see patients once a month. I used to take care of a lot of spinal cord injuries, and in the past it has been very hard and very difficult because there really was not very much that you could do.

What both of these ladies had done, this is a new treatment, a new intervention; and it is not approved to be done in the United States. The place where it is currently being done is in Portugal by a Dr. Carlos Lima. One of the doctors working with Carlos Lima is an American doctor from Alabama, and what they do is stem cell transplant. They harvest the stem cells from the nose, what we call the olfactory mucosa, and place them in strips along the injured section of the spinal cord.

This lady previously was confined to a wheelchair. She had no sensation from about the middle of her chest down, no muscle control in her lower body and in her legs. So she was confined to a wheelchair, unable to walk; and with this intervention, she is now able to walk with braces on her legs, and we can see the braces down there, and with the assistance of a walker. Still obviously very handicapped, but she is actually continuing to show improvement.

She and I talked at some length. She feels the same way that I do, that em-

bryonic stem cell research should not be illegal, and it is not illegal in the United States.

We hear around this town that we need to lift the restrictions on embryonic stem cell research. There are no restrictions. The real debate in this town is because we destroy an embryo in the process of doing embryonic stem cell research, a lot of people feel that that is morally and ethically wrong and that it should not be funded by taxpayer dollars; and this is really what the debate is about in Washington. It is really about funding the destruction of more embryos because in reality the NIH today is funding some embryonic stem cell research. They are just not funding the further destruction of more embryos.

What we will also hear over and over and over again is that embryonic stem cells have all the potential and the adult stem cells do not, and I have risen on this floor multiple times over the past 4 years pointing out to my colleagues that in the medical literature today we can read research articles reporting that diseases like multiple sclerosis and lupus and rheumatoid arthritis and even Parkinson's disease are being cured or significantly improved with adult stem cells. You cannot show me one article that embryonic stem cells have ever been used for anything like that. Indeed, you cannot even show me a good animal model where embryonic stem cells are successful in treating an animal with a disease.

There is one study in rats showing that they may have some application in this arena here, but the embryonic stem cells are genetically unstable. They form tumors called teratomas.

The real reason why so many people are excited about embryonic stem cell is because you cannot patent this procedure. You do this procedure, you cannot get rich; but if you can develop an embryonic stem cell that can do that, you can become perhaps one of the richest people in the world.

I just rise to point out to my colleagues that adult stem cells are being used for incredible things, and Susan and Laura were both tremendously helped by adult stem cells. Nobody on the other side of this argument can get up on the floor of the House today with a picture like this using embryonic stem cells, and Susan and Laura both felt the same way, Laura did not have her braces with her so I could not get a shot of her standing up, that they do not want to make embryonic stem cells illegal, but they feel the same way that I do. They are insulted when people say adult stem cells have no potential.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. FILNER. Mr. Speaker, I ask unanimous consent to speak out of the order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

KURDISH PRISONERS RELEASED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, I rise today to spend a few minutes to talk about some developments recently in the country of Turkey, some of which we celebrate, some of which we have great concern about.

Let me first, by the way, extend my condolences to victims of yesterday's terrorist bombings in Turkey and to the families of the victims. Certainly we want the perpetrators brought to justice quickly.

But I rise to celebrate a small, but very important, victory for human rights that took place last week. Four human rights prisoners in Turkey were released. Leyla Zana, a prominent Kurdish advocate for human rights, and her colleagues, Hatip Dicle, Slim Sadak and Ornhan Dogan, were released from prison following a June 9 appeals court ruling in their favor.

These were Kurdish citizens of Turkey. These were citizens who were elected by majority vote to the Turkish Parliament. These were Kurds who had the nerve to speak their own native language, Kurdish, in the Turkish Parliament; and they were arrested and sentenced to 15 years in prison.

Amnesty International declared them prisoners of conscience. They have been there 10 years.

Leyla Zana was probably the best known of the four prisoners. She was the first Kurdish woman elected to Turkey's Parliament who openly and proudly identified herself as a Kurd. In fact, the European Parliament awarded her a Sakharov Prize in 1995 for defending human rights.

I had the great pleasure of getting to know her husband, Mayda, who traveled around the world to talk about the injustice of his wife being in prison. I spent time with her son Ronee who was for a short time a student in Los Angeles. This was a whole family dedicated to human rights for all, and especially to the Kurdish minority who has been denied them in Turkey.

The release of these prisoners of conscience was a result of international pressure, and I want to thank the 21 Members of Congress who joined with me in H. Res. 302 that called for the release of these four parliamentarians. The Kurdish community in the United States, as well as human rights advocates across the country, played an important role in gaining their release.

So we welcome the release of these prisoners of conscience, as well as

other reforms in Turkey, including the introduction of public broadcasting in minority languages. However, serious human rights and repression of the Kurds continue in Turkey.

From June 8-10, Human Rights Watch, Amnesty International, and the International Federation for Human Rights joined with Turkish human rights groups in a joint delegation to investigate the situation in Turkey. They heard continuing allegations of torture and violations of freedom of expression, assembly, association, religion, and the right to a fair trial. They expressed concern about prisons, national minorities, the lack of independent investigations into human rights violations, and internal displacement.

The State Department human rights report, released just in February, also found that serious human rights problems exist. The report says that security forces killed 43 people last year and participated in widespread torture, beatings, and other abuses. The Turkish Government continued to limit free speech in the press and, in particular, restricted expression by people sympathetic to Kurdish cultural or nationalist viewpoints.

So we are pleased at the release of Leyla Zana and her colleagues, but we are not placated by this good news. We demand greater progress. The European Union should insist that Turkey take greater strides to improve its human rights record and treatment of the Kurds before joining the European Union. Turkey needs to realize that its Kurdish citizens enrich the country rather than threaten it.

President Bush will visit Turkey for a NATO summit next week. He should use this opportunity to press for greater respect for human rights. I would hope that he meets with Leyla Zana and shows his respect for human rights for the Kurdish minority in Turkey.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. PENCE. Mr. Speaker, I ask unanimous consent to speak out of turn and claim the gentleman from Nebraska's (Mr. OSBORNE) time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

TWO INDEPENDENCE DAYS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Mr. Speaker, as we depart for the Independence Day recess on Capitol Hill, families and communities across America will prepare for celebrations and remembrances of the 4th of July; and as I and my family and my heartland district in eastern Indiana prepare to do likewise, I could not help but feel that, in fact, in coming days we will celebrate not one, but two Independence Days: one for an 18th century colonial power born in violent conflict, aided by an ally in liberty to throw off the shackles of a despotic tyrant who beset its people for decades, and of that struggle, those people would write some 228 years ago that they held truths to be self-evident, that all men are created equal, and that governments are instituted among men deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, that it is the right of the people to alter or abolish it and institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

They went on to cite a long string of abuses and usurpations pursuing invariably the same object of absolute despotism, and claimed with their lives, their fortunes and their sacred honor that it was their right and their duty to throw off such government. One independence day.

The other will take place for the first time this coming Wednesday, not an 18th century colonial nation, but a 21st century modern power in the Middle East whose freedom is also being born at this very hour in violent conflict, aided by the armies of a liberty-loving ally to throw off the despotism and tyranny that has beset its people for decades and of their freedom the people of Iraq wrote these words in the preamble to their Constitution:

"The people of Iraq, striving to reclaim their freedom which was usurped by the previous tyrannical regime, rejecting violence and coercion in all its forms, and particularly when used as instruments of governance, have determined that they shall hereafter remain a free people governed under the rule of law."

Two Independence Days: One, 228th anniversary of ours on the 4th of July; and the other, the first-ever Independence Day for a free and democratic Iraq on a day that will live in history for the people of that great nation as a day of celebration, June 30, 2004.

□ 1530

Two independence days. We will celebrate in each of them the inexorable

rise of freedom in the world, and its advance is ever to be heralded. And may we ever add to the calendar of this planet, until each and every month is filled with the anniversary of such freedom days.

Until that great day comes, and the veil of tyranny is lifted from the four corners of planet earth, two independence days in the next 7 days. Let freedom ring in the United States of America and in a free and Democratic Iraq.

ACT NOW TO STOP HUMANITARIAN CATASTROPHE IN DARFUR, SUDAN

The SPEAKER pro tempore (Mr. PEARCE). Under a previous order of the House, the gentleman from Maryland (Mr. VAN HOLLEN) is recognized for 5 minutes.

Mr. VAN HOLLEN. Mr. Speaker, 10 years ago, as bloated corpses floated down Rwanda's rivers, the international community debated whether the atrocities being committed in Rwanda fit the legal definition of "genocide." By the time the world stopped debating, it was too late. Over 800,000 men, women, and children had been killed. The failure of the world to act in Rwanda remains a stain on our collective conscience.

We must learn from the tragic mistakes of the past. Today, just 1,000 miles north of Rwanda in the Darfur region of Sudan, more than 30,000 people have already been killed by the Sudanese military's aerial bombardments and the atrocities being committed by their ruthless proxies, the Jangaweed militia. Gang rapes, the branding of raped women, amputations, and summary killings are widespread as we speak.

More than a million people have been driven from their homes as villages have been burned and crops destroyed. The Sudanese government has deliberately blocked the delivery of food, medicine, and other humanitarian assistance. More than 160,000 Darfurians have become refugees in neighboring Chad. Conditions are ripe for the spread of fatal diseases such as measles, cholera, dysentery, meningitis and malaria. The United States Agency for International Development estimates that 350,000 people are likely to die in the coming months and that the death toll could reach more than a million unless the violence stops and the Sudanese government immediately grants international aid groups access to Darfur.

Here in Washington and at the United Nations headquarters in New York, many officials are again debating whether this unfolding tragedy constitutes genocide, ethnic cleansing, or something else. This time let us not debate until it is too late to stop this human catastrophe. Let us not wait until thousands more children are killed before we summon the will to stop this horror. America and the international community have a moral duty to act. The United States and 130

other signatories to the Genocide Convention also have a legal obligation to, and I quote, "undertake to prevent and punish" the crime of genocide.

The Convention defines genocide as actions undertaken "with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group, as such." The actions include "deliberately inflicting on members of the group conditions of life calculated to bring about its physical destruction in whole or in part." By all accounts, including reports of U.N. fact finders and the USAID, it is the African peoples in the Darfur region who have been targeted for destruction by the Khartoum-backed Arab Jangaweed death squads.

In the middle of an unfolding crisis like that in Darfur today, there will always be debate over whether what is happening constitutes genocide. But it is important to remember that the Genocide Convention does not require absolute proof of genocidal intentions before the international community is empowered to intervene. The Convention would, after all, offer no protection to innocent victims if we had to wait until there were tens of thousands or more corpses before we act. A key part of the Genocide Convention is prevention, not just punishment after the fact.

The United States has already done more than any other nation to call attention to and respond to this tragedy. But our efforts to date have not brought an end to the growing crisis. We must take additional measures, and we must take them now.

The May 25 Security Council statements expressing grave concern about the situation in Darfur does not provide any authority for international action. The United States should immediately call for an emergency meeting of the United Nations Security Council and introduce and call for a vote on a resolution that demands the government of Sudan take the following steps:

First, allow international relief groups and human rights monitors free and secure access to the Darfur region; second, the government of Sudan must immediately terminate its support for the Jangaweed and dispatch its forces to disarm them; third, the Sudanese government must allow the more than one million displaced persons to return to their homes.

This resolution must include stiff sanctions if the Sudanese government refuses to meet these conditions, and it must authorize the deployment of peacekeeping forces to Darfur to protect civilians and individuals from CARE and other humanitarian organizations seeking to provide assistance.

It is also critical that United Nations Secretary General Kofi Annan exhibit strong leadership on Darfur. I was pleased to join with the gentleman from Virginia (Mr. WOLF) in urging him to go to Sudan to address the crisis there, and I am pleased that Mr. Annan will finally be going next week.

However, this visit must be more than just an expression of concern. Secretary General Annan must make it clear that if the Sudanese government does not cooperate fully in stopping the killings and the destruction, he will push for immediate international sanctions.

And he must let the Sudanese government know that the welcome progress in reaching accommodation with the south in Sudan will not prevent the world from taking action to stop the horror in Darfur. The U.N. ignored warnings of mass murder a decade ago in Rwanda. It must not stand idly by again.

We should not allow other members of the U.N. Security Council to engage in endless negotiations and delay a vote on a strong resolution. Every day that goes by without action means more lives lost. Let's vote on a resolution. If the rest of the world refuses to authorize collective action, shame on them. Failure to pass such a resolution would not represent a failure of American leadership; it would be a terrible blot on the world's conscience.

Whether or not the United Nations acts, the United States should take steps on its own. We should make it clear that if the Sudanese government does not meet the demands in the proposed resolution, the United States will impose travel restrictions on Sudanese officials and move to freeze their assets. Even apart from U.N. action, we can immediately urge other nations to join us in taking these and other measures.

I commend Secretary of State Colin Powell for his decision to travel to Sudan next week and visit the Darfur region. It is critical that the Secretary's visit do more than simply call attention to the tragedy unfolding there. He must make it clear that the failure of Khartoum to fully cooperate in ending the destruction and killings will result in a concerted American effort to punish the Sudanese government and harness international support to intervene in Darfur.

Mr. Speaker, we must not look back on Darfur 10 years from now and decry the fact that the world failed to stop the crime of genocide. Rwanda and other genocides should have taught us that those who knowingly fail to confront such evil are themselves complicit through inaction. We are all God's children. These are crimes against humanity. Let us respond to this unfolding human disaster with the urgency it demands.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SAUDI ARABIA: THE NEED FOR AMERICAN ENGAGEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, the NBC Nightly News broadcast a segment in which the Saudi Crown Prince Abdullah was quoted as telling Saudi television that "Zionists" were behind May 1 attack on contractors at the Saudi oil facility in Yanbu. That attack killed five westerners, including two Americans.

The Crown Prince's remarks were echoed by Saudi Interior Minister Prince Nayef, who said that, "al Qaeda is backed by Israel and Zionism." Prince Abdullah's comments were scurrilous and inflammatory; unfortunately, they are part of a persistent pattern by the Saudi government of saying one thing to the United States and the west and another thing altogether to its own citizens, 15 of whom participated in the September 11 attacks against our Nation.

Indeed, the fact that three-quarters of the 9-11 terrorists were Saudis and that their leader, Osama bin Laden, was a member of a family that long enjoyed close ties to the Saudi royal family, should have spurred the Saudi government to immediate action. Instead, Saudi officials engaged in a protracted effort to deny that any of their citizens had been involved in the 9-11 attacks and instead blamed Israel for terrorism.

Saudi double-talk has had the effect of undermining the efforts that Kingdom has belatedly made in combating terrorism. In the wake of the May 2003 bombing of the housing compounds in Riyadh, the Saudi government began to take steps to cut off sources of terrorism funding, but much more needs to be done. A new report from the Council on Foreign Relations notes that while Riyadh has enacted new laws, regulations, and institutions dealing with money laundering, charitable donations, and financial operations, those new measures have not been fully implemented and there have been no arrests of prominent Saudis who have supported al Qaeda financially.

While we must work with the Saudis to ensure they are continuing to move forward in their efforts in counterterrorism, the war against Islamic terrorism requires the United States to engage Saudi Arabia on a broad range of issues. As the Council on Foreign Relations noted, our relationship with Saudi Arabia over the past 7 decades was built on a bargain in which the Kingdom would ensure stability in the world's oil markets and would play a constructive role in regional security. In exchange, the United States would guarantee Saudi security and would not interfere or raise questions about Saudi domestic issues.

The events of September 11 compel us to challenge the Saudis to change the conditions in the Kingdom that have made it a breeding ground for extremism. We must do this for our own security, but also to help ensure the stability of Saudi Arabia and of the entire

Arab world. A stable, moderate and reforming Saudi government is in America's national interest, and we must push for reform in Saudi Arabia without destabilizing the country further and throwing it into chaos.

Saudi Arabia's problems did not arise overnight. They are the product of decades of tension between the Saudi royal family and the Wahhabi clerics, whose ultra-conservative brand of Islam predominates in the Kingdom. When the House of Saud came to power, it sought to bring electricity, modern communications, and infrastructure to a traditional nomadic desert society.

In November 1979, these contradictions exploded when a group of Islamic militants invaded Mecca's Grand Mosque and took hundreds of pilgrims hostage. Government forces retook the Mosque and executed dozens of Islamic extremists. Instead of working to root out extremism throughout the country, the government sought accommodation with the extremists and handed over control of many aspects of Saudi life, including education, the Judiciary, and cultural affairs to the clerics. As a Saudi businessman tellingly told *Newsweek's* Fareed Zakaria recently, "Having killed the extremists, the regime implemented their entire agenda."

Thus, at the height of the Saudi oil boom of the 1970s and 1980s, Saudi Arabia took a sharp conservative turn. Even as thousands of young Saudis were being educated in the west, the majority of their countrymen were being fed a diet of religious and cultural bigotry. The rights of women, already almost nonexistent, were even more circumscribed.

By September 2001, the Saudi economy had faltered, its cities were filled with large numbers of undereducated, underemployed, and unmotivated young people who had both tasted modernity and were steeped in an ideology that preached hatred toward the west.

While the Saudis have begun to address the terrorist financing issue, Riyadh has yet to begin the more difficult task of recapturing the country from the extremists. This battle will be long, it will be difficult, and it will be bloody, but we must keep the pressure on the government of Saudi Arabia to do this. Our security and their future depends upon it.

TRIBUTE TO LAGRANGE GRANGERS, GEORGIA'S 2004 AAA HIGH SCHOOL BASEBALL CHAMPIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, I rise today to pay tribute to the LaGrange High School Grangers, Georgia's 2004 AAA high school baseball champions.

To win the State championship, LaGrange had to beat one of Georgia's greatest baseball powerhouses, the

Cartersville Purple Hurricanes, a program that captured State titles for the past 3 years in a row. I am proud to say that the runner up and defending champion, Cartersville High School, is also in Georgia's 11th congressional district.

The Grangers' crown did not come easily. They split a double-header to force a decisive game three. In that final game, LaGrange jumped out to a big lead, going ahead 9 to 2. But the Purple Hurricanes were not done yet. They crawled back, and then notched three runs in the sixth inning to tie the game at 10 to 10. That is when the Grangers proved they had the heart of champions.

In the bottom of the sixth, LaGrange knocked in three runs, and senior Josh Edmonson took the mound in the seventh inning to snuff out any more comeback hopes for the Purple Hurricanes.

□ 1545

After winning game three of the series, the Grangers finished the year 31-6. I am proud for the team and I am proud for the coaches, Donnie Branch and Jon Powell, who have been together with the team since 1989. Their teams had advanced far in the tournament in previous years, but the ultimate crown had remained elusive until now.

As Coach Powell explained his excitement to the LaGrange Daily News, "You can't put it into words. You dream about it and you work and you work and you work."

Coach Branch, congratulations on a dream come true and a job well done.

The SPEAKER pro tempore (Mr. PEARCE). Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

(Mr. INSLEE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EVENTS IN SUDAN AND IN MEMORY OF MATTIE STEPANEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Allow me, Mr. Speaker, to join in with a number of my colleagues and as well the Congressional Black Caucus on this question of the people in Sudan. I add my appreciation to the leadership of the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Virginia (Mr. WOLF) and Senator BROWNBACK on recognizing the enormity of the genocide that is occurring in Sudan. I know that if the nation of Sudan wants to do better, it can do better.

Right now we have 400,000 Sudanese being displaced and thousands being killed every day. As some of us said

this week, we cannot return to the Rwanda where we lost millions of lives in the conflict and bloodshed of a few years ago. This is genocide, Arab against Black Muslim, and it must stop. I would encourage Secretary Kofi Annan, who will be heading to Sudan, to give a very strong and very noncompromising statement and demand.

I would likewise encourage and suggest that Secretary Powell must be noncompromising and demanding, the immediate cease-fire and disarming of the Janjaweed and as well the immediate response, humanitarian efforts to be able to go into that area. My understanding is that bloodshed continues and whatever the representations have been of the government, the bloodshed has not stopped.

Might I say that those of us who care about people care about all of the people in Sudan, but not the violent murderers that have been intimidating and frightening and killing innocent people. As I said, the Government of Sudan can in fact make changes. The question is to them, Do they want to make these changes? The Ambassador has said so, and I would like to hear from the government to know that they are stopping the bloodshed.

Mr. Speaker, I want to transition, because my comments are about peace and tranquility and the need for such. I would like to transcend just for a moment to honor a young man that I did not know, but as Chair of the Congressional Children's Caucus I am obligated to acknowledge young Mattie Stepanek, a young, 13-year-old poet who suffered with muscular dystrophy, a child poet who continued to inspire us, whose inspirational verse made him a best-selling writer and a prominent voice for muscular dystrophy sufferers. He died Tuesday of a rare form of the disease. Interestingly enough, not only did he lose his life, but his mother lost children before with the same disease. Can you imagine?

Mattie died at Children's National Medical Center in Washington, the hospital said. He had been hospitalized since early March from complications related to the disease that impaired most of his body. But, Mr. Speaker, it did not impair his mind and his spirit. His poetry sold millions of copies. And when I saw his last repeated interview with Larry King, I saw him say that he wanted to be a peacemaker, he wanted his life to exude what we could do as a human family. He wanted this Earth to be full of peace. His mother, Jeni, 44, has the adult onset form of the disease and his three oldest siblings had died of the same disease in early childhood.

Mattie began writing poetry at age 3 to cope with the death of a brother. In 2001, a small publisher issued a slim volume of his poems called "Heartsongs." Within weeks, the book reached the top of the Times best-seller list. He wrote four other books: "Journey Through Heartsongs," "Hope Through Heartsongs," "Celebrate Through Heartsongs" and "Loving

Through Heartsongs." He said that if he could be the one to change people's minds about war and peace, he wanted it to be him. And so as he sat in his wheelchair with a breathing tube, no one could stop having their heart go out to him and be moved by a child guiding us, adults who are based in conflict and who cause wars.

Here was a child encouraging us to educate the public and plead with us whether we would stand for peace over war and life over death. This young man who suffered his entire life, you would never know that Mattie suffered, for he spoke with eloquence and compassion and spirit, and he just drew you to him. Mattie was 13 years old, but he could say to those far beyond his years in wisdom and in age, he could tell them that they were loved and that there was another place and that he believed in peace.

One of his songs says, "Have you witnessed the early morning, right before the sun rises and the sky glows purple lava lamp? The clouds are the dark, floating lumps, and the still, gentle Earth is to look upon." He called it "Rapture." He then had one called "Hope": "Gentle and peaceful. We are the children of one God yet so many faiths. True, we are different. Unique mosaics of life. Still, we are the same. United we are the festive fabric of life. Divided we fall."

Mr. Speaker, I would say to you that if we listen for just a moment to that fleeting voice of this young man who now I know lives above us in heaven, we would understand the sweetness of a tranquil peace and to recognize that as conflicts abound in Afghanistan and Iraq and as this world looks to America and its future, maybe, Mr. Speaker, we will be allowed to take a brief message from Mattie and regain our moral high ground, the Nation who defends and not offends, the Nation who stands for the morality of peace.

I salute Mattie Stepanek and to his loving mother who has lost four of her children, I pray for them, I pray for his soul. God bless him. God bless America.

Mattie Stepanek, the 13-year-old child poet, whose inspirational verse made him a best-selling writer and a prominent voice for muscular dystrophy sufferers, died Tuesday of a rare form of the disease.

Mattie died at Children's National Medical Center in Washington, the hospital said. He had been hospitalized since early March for complications related to the disease that impaired most of his body's functions.

In his short life, the tireless Mattie Stepanek wrote five volumes of poetry that sold millions of copies. Three of the volumes reached the New York Times' best-seller list.

Mattie had dysautonomic mitochondrial myopathy, a genetic disease that impaired his heart rate, breathing, blood pressure and digestion, and caused muscle weakness. His mother, Jeni, 44, has the adult-onset form of the disease, and his three older siblings died of it in early childhood.

Mattie began writing poetry at age 3 to cope with the death of a brother. In 2001, a small publisher issued a slim volume of his poems,

called "Heartsongs." Within weeks, the book reached the top of the Times' best-seller list.

He wrote four other books: "Journey Through Heartsongs," "Hope Through Heartsongs," "Celebrate Through Heartsongs," and "Loving Through Heartsongs."

His poems brought him admirers including Oprah Winfrey and former President Carter and made him one of the best-selling poets in recent years.

Mattie was hospitalized many times over the years. He rolled around his home in a wheelchair he nicknamed "Slick," and relied on a feeding tube, a ventilator and frequent blood transfusions to stay alive.

Despite his condition, Mattie was upbeat, saying he didn't fear death. His work was full of life, a quest for peace, hope and the inner voice he called a "heartsong."

"It's our inner beauty, our message, the songs in our hearts," he said in an interview with The Associated Press in November 2001. "My life mission is to spread peace to the world."

I also want to use this time to speak about the Ad Council's new public opinion survey, entitled, "Turning Point: Engaging the Public on Behalf of Children." This report concludes what many of us in the Congressional Children's Caucus have known for some time: we need to effectively communicate to the public about helping kids. "Turning Point" indicates that the public is willing to listen and the children need our help more than ever.

I have spoken with the Ad Council, and their panel of experts which included Warren Kornblum, Chief Marketing Officer, Toys 'R' Us, Gary Knell, President and CEO, Sesame Workshop, and Paul Kurnit, Founder & President, KidShop. Based on their research and interviews, the report concludes that the public has a more positive view of children and the majority of Americans believe that parents are responsible for raising children with the support of their community. Instead of focusing on blame, we are going to focus on a solution.

There are a myriad of challenges facing our children, and we must work to make children a top legislative priority or it will be a constant struggle to address them. In my State of Texas, 120,370 children were reported as abused or neglected and referred for investigation in the year 2001. This is a rate of 20 per every 1000 Texan children. Even more troubling, 206 children died as a result of abuse or neglect in Texas in 2001.

As Chair of the Congressional Children's Caucus, I am always appreciative of ways to put the needs of children at the forefront of our legislative agenda. The Ad Council has provided us communication and message tools. We in Congress can use these to convey that children are indeed a high priority.

Educating the public about children is not something we can leave alone, in hopes of it occurring by itself. I hope that many of you here can take these communication tools back to your offices, your districts and your own homes.

MATTIE STEPANEK'S POEMS (AS READ ON
LARRY KING LIVE)
HEARTSONG

And a heartsong is your inner message, it's
your inner beauty, like what you are
meant to do in life. My heartsong is to
help others hear theirs again.

And all heartsongs are different and unique
and beautiful. And even though similarities
are good, it's the differences

that make them special. And we should never try to force our heartsongs on others or have all the same heartsongs.

And it's sad that people are fighting over whose heartsong is better nowadays, because they're all different and beautiful.

RAPTURE

Have you witnessed the early morning, right before the sun rises and the sky glows purple lava lamp? The clouds are the dark, floating lumps, and the still, gentle earth is to look upon.

HOPE HAIKU

Gentle and peaceful. We are the children of one God yet so many faiths. True, we are different. Unique mosaics of life. Still, we are the same. United we are the festive fabric of life. Divided we fall.

RESOLUTION INVOCATION

Let this truly be the celebration of a new year. Let us remember the past, yet not dwell in it. Let us fully use the present, yet not waste it. Let us live for the future, yet not count on it. Let this truly be the celebration of a new year, as we remember and appreciate and live, rejoicing with each other.

ABOUT HEAVEN

Now I will tell you about heaven. Where is heaven? It is way over there. And it is way over there. And it is way over there, too. It is everywhere. What does it look like? It looks like a school. And it looks like a farm. And it looks like a home. It looks like everything. What does it sound like? Well, I really don't know, because I'm just a little big boy with a brother and another brother and sister and a friend who live in the everywhere and everything of heaven. But perhaps heaven sounds like forever.

I AM

I am black. I am white. I am all skins in between. I am young. I am old. I am each age that has been. I am scrawny. I am well fed. I am starving for attention. I am famous. I am cryptic. I am hardly worth the mention. I am short. I am height. I am any frame or stature. I am smart. I am challenged. I am striving for a future. I am able. I am weak. I am some strength. I am none. I am being. I am thoughts. I am all things, said and done. I am born. I am dying. I am dust of humble roots. I am grace. I am pain. I am labor of willed fruits. I am a slave. I am free. I am bonded to my life. I am rich. I am poor. I am wealth amid strife. I am shadow. I am glory. I am hiding from my shame. I am hero. I am loser. I am yearning for a name. I am empty. I am proud. I am seeking my tomorrow. I am growing. I am fading. I am hope amid the sorrow. I am certain. I am doubtful. I am desperate for solutions. I am leader. I am student. I am fate and evolutions. I am spirit. I am voice. I am memory not recalled. I am chance. I am cause. I am effort, blocks and walls. I am him. I am her. I am reasons without rhymes. I am past. I am nearing. I am present in all times. I am many. I am no one. I am seasoned by each being. I am me. I am you. I am all souls now decreeing: I am.

MATTIE STEPANEK BACKGROUND

Mattie Stepanek, the child poet whose inspirational verse made him a best-selling writer and a prominent voice for muscular dystrophy sufferers, died Tuesday of a rare form of the disease. He was 13.

Mattie died at Children's National Medical Center in Washington, the hospital said. He had been hospitalized since early March for complications related to the disease that impaired most of his body's functions.

In his short life, the tireless Stepanek wrote five volumes of poetry that sold millions of copies. Three of the volumes reached the New York Times' best-seller list.

"Mattie was something special, something very special," entertainer Jerry Lewis, who chairs the Muscular Dystrophy Association, said in a statement.

"His example made people want to reach for the best within themselves."

Mattie had dysautonomic mitochondrial myopathy, a genetic disease that impaired his heart rate, breathing, blood pressure and digestion, and caused muscle weakness.

His mother, Jeni, 44, has the adult-onset form of the disease, and his three older siblings died of it in early childhood.

Mattie began writing poetry at age 3 to cope with the death of a brother. In 2001, a small publisher issued a slim volume of his poems, called "Heartsongs." Within weeks, the book reached the top of the Times' best-seller list.

He wrote four other books: "Journey Through Heartsongs," "Hope Through Heartsongs," "Celebrate Through Heartsongs," and "Loving Through Heartsongs."

His poems brought him admirers including Oprah Winfrey and former President Carter and made him one of the best-selling poets in recent years.

Mattie was hospitalized many times over the years. He rolled around his home in a wheelchair he nicknamed "Slick," and relied on a feeding tube, a ventilator and frequent blood transfusions to stay alive.

In the summer of 2001, Mattie nearly died from uncontrollable bleeding in his throat and spent five months at Children's National. When it seemed he would not survive, the hospital got in touch with a Virginia publisher on his behalf.

Mattie and his mother had sent the book to dozens of New York publishers, all of whom rejected it, according to Peter Barnes of VSP Publishers. Barnes said he was caught off guard when he read the work.

VSP Books printed 200 copies of "Heartsongs" to be handed out to friends. But after a news conference publicizing the book, interest exploded. "Heartsongs" went on to sell more than 500,000 copies.

Despite his condition, Mattie was upbeat, saying he didn't fear death. His work was full of life, a quest for peace, hope and the inner voice he called a "heartsong."

"It's our inner beauty, our message, the songs in our hearts," he said in an interview with The Associated Press in November 2001. "My life mission is to spread peace to the world."

JUSTICES RAISE DOUBTS ON SENTENCING RULES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I come to the floor because of two court decisions that will have, I think, very important effects on the criminal justice system, on justice in our country, and on the lives of many Americans who have indeed not had the benefits of equal justice in our country. One comes from the Massachusetts Supreme Court

where a district judge has thrown out the Federal sentencing guidelines as unconstitutional. This is an interesting case because the guidelines were upheld in 1989 by the Supreme Court, so it will be important to look closely at this case because the judge clearly feels that there are now grounds to throw the sentencing guidelines out notwithstanding the Supreme Court decision and probably because the Supreme Court decision does not take into effect all that the Massachusetts district judge has found.

This has to go, of course, to the First Circuit Court of Appeals. It is very significant. What makes it more significant is that the Supreme Court itself has now just thrown out Washington State guidelines of a kind that are very similar to the Federal guidelines, at least in many respects, in an opinion written by Justice Scalia.

Essentially what the court found in the 5-4 decision is that the Washington State guidelines violate the sixth amendment right to a jury trial because the sentence is beyond the ordinary range for the crime and this increase in punishments was decided by a judge and not by a jury. Therefore it was in violation, according to the Supreme Court, of the sixth amendment right to a jury trial.

Essentially what the court seemed to be saying was that the Washington State sentencing guidelines allow a judge to enhance sentences beyond what has been placed before a jury and beyond what the crime usually carries. That is exactly what the Federal guidelines do and that is why everyone is scrambling to see whether or not we have something very significant and how to take charge of it.

Its significance, of course, cannot be doubted. For myself, my chief interest is not only as a constitutional lawyer but my interest as well is on the effect of the Federal sentencing guidelines on an entire generation of young black men. Only crack cocaine drug offenses have enhanced sentences. That is to say, if you have cocaine, there is no enhanced sentence. But if you have crack cocaine, there is an enhanced sentence. As you might imagine, crack cocaine, because it is cheap, is found in lower-income communities. The effect has been quite outrageous. Essentially if you look at our country today, black men are 5 percent of the population. They are almost 50 percent of those in jail. Have they been in jail for being drug kingpins? Not at all. These are mostly drug users. Any selling they have done has been to support their habit for the most part. And the Federal sentencing guidelines have so outraged the Federal judiciary that the Judicial Conference has in fact for years now been for the repeal of the guidelines. No less than two conservative justices, Justice Rehnquist and Justice Kennedy, have come forward in speeches against the Federal judicial guidelines.

These cases merit real attention. The harm that has been done has been done

by this Congress. It is the Congress who in effect has virtually instructed the sentencing commission to enhance sentences and to enhance sentences as much as possible and particularly for these drug offenses which are far from where the harm is being done.

The essential effect is to destroy the African American family. Young women, well educated, who are out in the world working in disproportionate numbers to the young men who are there; young men as boys siphoned off into the drug economy, the gun economy, the underground economy which is the economy left in the inner cities of our country; a huge disparity between marriageable young men and marriageable young women, all traces back to the criminal justice system.

These cases have a lot to teach our country. They are going to make their own changes. These cases are an instruction to us to look closely at the Federal sentencing guidelines so that we can do our part to get rid of this injustice in the criminal justice system.

INTRODUCTION OF CENTER FOR SCIENTIFIC AND TECHNICAL ASSESSMENT ACT OF 2005

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

Mr. HOLT. Mr. Speaker, I rise today to introduce the Center For Scientific and Technical Assessment Act of 2005. I have introduced the creating legislation with the gentleman from New York (Mr. HOUGHTON), the gentleman from Virginia (Mr. MORAN), the gentleman from California (Mr. HONDA), the gentleman from Tennessee (Mr. GORDON), the gentleman from Washington (Mr. MCDERMOTT), the gentleman from California (Mr. WAXMAN), the gentleman from Massachusetts (Mr. OLIVER), the gentleman from Pennsylvania (Mr. GREENWOOD), the gentleman from Delaware (Mr. CASTLE), the gentleman from Maryland (Mr. VAN HOLLEN), the gentleman from Texas (Mr. FROST), the gentleman from California (Mr. BERMAN), the gentleman from Maryland (Mr. RUPPERSBERGER), and the gentleman from Michigan (Mr. EHLERS). The Center For Scientific and Technical Assessment would be a bicameral and bipartisan resource providing Congress with highly respected, impartial analysis and assessment of scientific and technical issues. The center would provide Congress with early warnings on technology's impacts both here and abroad. The center would assess the issues that impact current and future legislation encompassing medicine, telecommunications, computer sciences, agriculture, materials, transportation, defense, indeed every discipline and sector important to the United States and to our work here in Congress.

It would undertake controversial subjects, examining them objectively and comprehensively for the Nation's

benefit. The center would offer much needed sound principles to reap the benefits of technological change in industry, in the Federal Government, in the workplace, in our schools and look at the estimated economic and social impacts of rapid technological change. The center would enable Congress better to oversee Federal science and technology programs which now amount to over \$130 billion. Finally, the center would help Congress better to understand complex technological issues by tailoring reports for legislative users.

Today's legislative environment involves highly complex issues of science, engineering and technology. High-wage, advanced technology workforce growth is a prerequisite to a strong economy whose future is predicated on our continuing global dominance in science and technology.

□ 1600

If the United States is to maintain and continue its leading role into the 21st Century, then Congress needs to recognize that the future is being shaped by new science and technology discoveries arising from our past investments in basic and applied research and their deployment into present and new industrial sectors. A well-informed Congress with the foresight to pass the right legislation must understand the effects of that technology on all sectors of our society and must understand the scientific aspects of all the legislation under consideration.

Our Nation must exploit these new advances or prepare to be exploited ourselves by others. Given how technology underlies many aspects of our constituents' lives, concerns, and jobs, unbiased technical assessment is not a luxury but a necessity.

Today Congress is deluged with facts, figures, opinions, and arguments from thousands of interested citizens. Congress does not need more facts and data on these issues of science and technology; it needs balanced analysis and synthesis that conclude with a framing of issues and extraction of knowledge and insight, a process beyond most Members of Congress and our immediate staffs. The Congressional Science Fellows program is a help in some respects. For example, Dr. Marti Sokolowski in my own office provides some of this, and there are some Fellows scattered around other offices around Capitol Hill, but it is not enough.

For 2 decades, Congress could call upon the Office of Technology Assessment for nonpartisan scientific and technical advice. OTA published dozens of reports a year. Its work ran the gamut of subject matter. OTA brought science into the center of many congressional discussions. And at times OTA was a major factor in major pieces of legislation.

Unfortunately, OTA closed its doors in September, 1995. However, many of

its reports are still relevant and useful, but no more such reports are being produced. The loss of that technology assessment is great. Now we have no advice or sometimes haphazard review panels whose composition may tempt some to politicize science. Therefore, the gentleman from New York (Mr. HOUGHTON) and I have introduced a bill to establish the Center for Scientific and Technology Assessment.

We have done much research on the advantages and disadvantages of the former Office of Technology Assessment. We have looked at the recent successful technical assessment program prepared by the General Accounting Office. We have taken into the account the GAO's document and its recommendations. Finally, we have examined the study "Science and Technology Advice for Congress" and considered the lessons of that publication in constructing this bill.

Our country will move into the 21st Century whether we in Congress are prepared or not. Congress will have at least the possibility of charting the course for our Nation with understanding of the applications of science and technology if we enact this legislation.

HAPPY INDEPENDENCE DAY TO THE UNITED STATES MILITARY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we have had a vigorous legislative week that included a resolution affirming and applauding the Iraqi transitional government. It was a vigorous debate because many of us were pained to go to the floor to acknowledge a war that we had such great concern and opposition to. I voted for that resolution, with qualifications as to some of the language, but no qualifications on the affirmation of the young men and women on the front line. To be able to recognize their service, to thank their families, and to pray for those families who have lost loved ones.

I could not leave this body this week without acknowledging, as this country celebrates its anniversary of independence, the importance of recognizing freedom and how much and how long we fought for it and the way that we should lead our foreign policy to reflect on the principles of that freedom.

I will spend time, Mr. Speaker, this week with returning veterans and their families and families of those who have lost loved ones in Iraq. But most of all, I think it is important that we take this somewhat holiday week to reflect on the freedom that we as Americans have in this country and to never stray away from the rights of freedom, protesting when we believe it is wrong, supporting when we believe it is right, but, most of all, embracing the Constitution that allows us the freedom of

expression, the freedom of speech, and the freedom to move and the freedom to debate and, most of all, a country that is grounded in the principles of democracy because if we are to show that to others, we must show it amongst ourselves.

Congratulations and happy Independence Day to the United States of America and to all of those serving in the United States military. I thank them for their service. And to our fallen heroes, again to their families and for their loss and the loss of their lives, we will protect the freedom of this Nation.

THE U.S. ECONOMY AND OUR WAR ON TERROR

The SPEAKER pro tempore (Mr. GINGREY). Under the Speaker's announced policy of January 7, 2003, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the majority leader.

Mr. DREIER. Mr. Speaker, several of my colleagues over the last few minutes have talked about the fact that we are about to mark Independence Day, and virtually all of our colleagues have left the Chamber and are en route to their homes, to their districts, for this work period.

But I think that it is very important for us to take a few minutes to talk about what is on the horizon. Of course, Independence Day will be a week from this coming Sunday, July 4. But there is a very important date that we will be marking next Wednesday, and that, of course, is the turnover in Iraq from the Coalition Provisional Authority, the CPA, to the IIG, the Iraqi Interim Government, and the leadership of the new president, Ghazi al-Yawar, and the prime minister, who has been facing recently threats on his life, but has stood up courageously talking about the importance of the role that the United States of America and the coalition forces have played in bringing this about. So Iyad Allawi, the new prime minister, is an individual who suffered tremendously, faced nearly the loss of his life at the hands of Saddam Hussein's forces when he was in London, and he has now emerged as one who will be in charge of leading the government there.

This clearly is an historic effort which is designed to bring about peace and stability to what is obviously a very troubled region. And we know, Mr. Speaker, that this is going to yield tremendous dividends to not only the region, but to the entire world and the security around the world and right here at home as well.

What I would like to do during my period of time here this afternoon, Mr. Speaker, is to talk about our economy, but I want to start talking about it as it relates to this global war on terrorism and, again, the handover that we are going to be facing next Wednesday, on June 30.

Clearly, the terrorists attacked us on September 11. When they did that, they

went after the three very important pillars of America's success. What is it that they went after, Mr. Speaker? They went after our national defense capability when they launched the attack and flew the plane into the Pentagon. We know that they were headed towards the government. The report of the 9-11 Commission clearly shows that the plane that was courageously taken into the ground by those passengers in Pennsylvania were headed right towards this building, the great symbol of freedom, the dome that is above us right here, Mr. Speaker, the U.S. Capitol. And we know that the first two targets were the center of the global economy, the World Trade Center Towers.

The months following September 11 were obviously very difficult for us because in attacking the World Trade Center Towers, what was it they were trying to do? They were trying to attack and undermine the strength and vibrance of the U.S. economy.

We all know that our Nation's economy was already in a downturn before September 11. In fact, it was the last two quarters of the year 2000 that we saw the economy begin to slow. And then in early 2001, just after President Bush took the oath of office, we saw two quarters of negative economic growth, which basically means we were in economic recession.

Thankfully, during that period of time, we had passed tax relief just before September 11, and the goal of the tax relief that we provided at that point, Mr. Speaker, was to get our economy going again. And The Washington Post actually, as they looked at what happened on September 11, described the tax relief as "fortuitously well timed," is the term that the Washington Post used to actually describe the timing of the tax relief that we put into place back in 2001.

Why, one would ask, do we believe that tax relief is important? And the fact is that we find that the federal tax coffers do not suffer when we bring about tax cuts. They suffer when our economy is not growing and revenues are not being created. I know that that is counterintuitive, that one believes that somehow if we bring about taxes that we lose revenue coming into the Federal Treasury when, in fact, the opposite is the case. We know that the combined tax relief of the 2001 and 2003 tax package, the two tax packages, had the desired effect of growing the economy and generating more revenue for our Federal Treasury. In fact, the Treasury Department data that we had proves that. Through May of this year, Mr. Speaker, federal tax receipts for this fiscal year are running 2.3 percent higher than for the same period in 2003.

Think about that for a minute. We cut taxes last year for millions of American workers and businesses, the job creators, and what is it? We have been actually getting more money to the Federal Treasury that had been anticipated.

In March of this year, the Congressional Budget Office projected that receipts would be up \$35 billion this year over the same period of time last year. Even further, the Congressional Budget Office noted in a recent report: "Recent trends suggest that the deficit in 2004 will be less than what the CBO had projected in March." Outlays to date are consistent with CBO's expectations, but revenues are running \$30 billion to \$40 billion higher than anticipated, meaning that as we move towards our goal of getting back to a balanced budget, having dealt with the economic recession of 2001, the September 11 attacks on our national security, on our government, and on our economy, as well as tragically killing thousands of Americans and others, and then the war in Iraq, our tax cuts have generated an unanticipated \$30 billion to \$40 billion in revenues to the Federal Treasury.

Right now our men and women in uniform are overseas fighting to protect us, our homeland, from another attack like the one that we saw on September 11, 2001. The good news, Mr. Speaker, is that our economy right here is working for them, our men and women in uniform, too. These increased revenues are what will be used to supply them with everything they need to complete their mission just as quickly and as safely as possible.

We need the funds to provide everything from ammunition to Humvees and, of course, food and water for our troops.

Our national security benefits from a strong, dynamic, growing economy right here in the United States and, of course, a strong, dynamic, growing economy here in the United States ensures to the benefit of other economies throughout the world, and that helps us. Tax relief creates a strong economy.

So let us take a more detailed look at exactly how our economy is doing.

□ 1615

I have been talking an awful lot in the recent months about the strength of our economy. One way of illustrating the nature of our 21st century economy is to look at it in the context of the past 20 years.

Certainly a great deal of change has taken place over the past 20 years, since 1984. The past two decades have transformed not just the business world, but our daily lives as well. But while the changes over the past 2 decades are striking, the parallels between 1984, the things that were said in 1984, and 2004, are perhaps even more remarkable, and they are not getting an awful lot of attention; and that is one of the reasons that I and my very distinguished colleagues, the gentlemen from both Indiana and New Mexico, are joining me here this afternoon.

Looking at 20 years of change, it becomes clear that the more things change, the more they stay the same.

What I would like to do is I would like at this moment to yield to my

friend from New Mexico, who has just been sharing with me the fact that we have been, as we have looked at these tax cuts that have taken place in 2001 and 2003. We have begun to see very, very positive benefits to our economy, and he has been sharing with me anecdotal evidence in New Mexico of benefits we have seen.

I would like at this point to yield to my friend from New Mexico.

Mr. PEARCE. Mr. Speaker, I thank the gentleman for yielding, and I would recognize that the Governor of New Mexico really put it in perspective before the 2003 session. He declared that tax cuts create jobs, and the Democrats need to get over that and pass the tax cuts. That was the tax cut in New Mexico passed in 2003.

Mr. DREIER. If I can reclaim my time just to remind my colleagues, the Governor of New Mexico formerly served in this House. He was elected to this House one term after I was elected here. It is Bill Richardson, who served with great distinction as the Ambassador to the United Nations and the Secretary of Energy, and I worked very closely with him on global trade issues. He is now the Governor of New Mexico and has talked about and put into place important tax cuts to stimulate growth in your economy.

Mr. PEARCE. And he did stimulate growth in the economy. At one point, July of last year, New Mexico was number two in job growth. Keep in mind, they were like 43rd or 44th in per capita income. So job growth that high is tremendous.

The next thing that I would observe is that since I graduated from college, tax freedom day, that is the day which we all work until to pay the taxes, tax freedom day has always been in late May, early June. And now, because of the tax cuts we have given, tax freedom day this year occurred on April 11, and I hear people telling me thank you.

A gentleman in Ruidoso, New Mexico, grabbed me the last time I was there, shook my hand and said, "I have six kids," and he said, "I will tell you that I saw the tax breaks in my paycheck."

Watson Trucking Supply in Hobbs, New Mexico, are goods friends of mine; I have known them throughout my career there in Hobbs. They were set to lay off people before our tax cuts. They had run completely out of manufacturing back orders, no new business; they were set to lay off. The day that we passed the tax and jobs bill here in Congress, he got more back orders than he had ever had, he had 2 years' worth of work laid out in front of them; and instead of laying off people, they began to hire people.

The potash mines in New Mexico have begun to hire because now the potash market is lifting with the overall market.

The copper mines in western New Mexico, Phelps Dodge has put miners back to work there mining copper. They have told me in my office that if

they had regulatory certainty, that is not to roll back regulations, but the certainty that they would be able to get the rules that are in place and keep the rules that are in place, that they would open a smelter and hire 600 people for very good, high-paying jobs in an area that has just been decimated.

We have an MPC plant going into New Mexico, only the second MPC plant in the world; and that is going into New Mexico. There are going to be about 200 jobs there, all good, high-paying jobs.

I have seen in New Mexico the fact that these tax cuts have really created job opportunities, the job growth in New Mexico continues to today, and I appreciate the gentleman yielding time to talk about these exact examples.

Mr. DREIER. Reclaiming my time, I thank my friend for pointing to the tremendous benefits that these reductions in the tax burden have had on the economy of New Mexico; and, frankly, they could take place in the economy of Mexico, too, if we could encourage that, and that is one of the other things. Global trade is a very important part of this component.

I thought before yielding to my friend from Indiana that I would take a moment to juxtapose, as I was saying earlier, the things that are being said and the proposals that were offered back in 1984, to what has taken place in 2004.

As we all know, 1984, like 2004, was a Presidential year. The incumbent President, Ronald Reagan, had inherited a very troubled economy 4 years earlier. We all spent a great deal of time talking about that just a couple of weeks ago as we were memorializing Ronald Reagan. You remember the terms that were used, the fact that President Carter had referred to our Nation as being in a state of malaise. We saw a tremendous, tremendous increase in the interest rates, we saw a very high rate of inflation; and we saw, frankly, a devastated economy that Ronald Reagan inherited.

But clearly, and I am very proud, I was elected to the Congress the day Ronald Reagan was elected President, and I stood here in this well in May of 1981, before my colleagues were born, and at that time when I stood here in that well, we were able to cast the deciding vote with bipartisan support for, first what was known then as the Gramm-Latta budget package, which reduced by 17 percent the rate of growth of Federal spending. It did not cut back Federal spending as much as we all were trying to do, and we are still working on that effort, but it did reduce the rate of growth. Then 3 months later, in August of 1981, we passed what was known as the Economic Recovery Tax Act of 1981.

As we put those very, very important job-creating economic-growth-stimulating packages into place, we saw by 1984 that the economy had been turned around through cutting taxes and by empowering companies to become more

competitive, and tearing down the barriers, as I mentioned when I accidentally said Mexico as opposed to New Mexico, tearing down the barriers to the free flow of goods and services and capital.

Yet inexplicably, the candidate ran a campaign in 1984 of economic isolationism. He ran a campaign based on pessimism about the present and the future, and he called for America to retreat into its borders and restrict the freedom of individuals to engage in the global marketplace. We all know that candidate was our former colleague, the former Vice President of the United States, Walter Mondale.

In that 1984 campaign, he said when the American economy leads, the jobs are here. The prosperity is here for our children. But that is not what is happening today.

Again, this is Walter Mondale speaking in 1984. He said, "This is the worse trade year in American history. Three million of our jobs have gone overseas." That is what he said in 1984.

Speaking of the American companies that were global leaders in fields from manufacturing, to finance, to the burgeoning high-tech industry, which was in its infancy in the 1980s, Walter Mondale said, "To big companies that send our jobs overseas, my message is, we need these jobs here at home, and our country won't help your business unless your business helps our country."

That is what Walter Mondale said as a candidate challenging Ronald Reagan back in 1984.

2004, Mr. Speaker, is a Presidential election year. We have an incumbent President who inherited an economy that was heading for recession, shedding jobs and reeling from a stock market whose bubble had burst. These circumstances were then compounded by the worst terrorist attack in American history, as I was saying, several high-profile corporate scandals, and the uncertainty and anxiety of the ongoing war on terror, including our challenge in Iraq.

Again, President Bush, like Ronald Reagan in the early 1980s, was able to turn the economy around with an agenda of cutting taxes, improving the regulatory environment for U.S. businesses, and knocking down barriers to trade, both here and abroad.

Again, despite the tremendous success that these policies have met, the challenging candidate, our colleague, Senator KERRY, is running a campaign based on raising taxes and reversing our trade liberalization agenda. The Mondale quotes that I just shared with our colleagues, Mr. Speaker, could easily be slipped into a JOHN KERRY campaign speech, and they would be right at home in the midst of that speech.

In fact, we know that KERRY's whole platform could well be called the Mondale legacy campaign. JOHN KERRY's term for the heads of U.S. companies that are global leaders, creating jobs, investing in growing overseas markets, is, as we all know, Benedict Arnold

CEOs. Now he is trying to step away from that after having used it in 25 speeches, but clearly he described those job creators as Benedict Arnold CEOs.

Mr. Speaker, these are companies that are America's greatest innovators, job creators and growth stimulators, and KERRY has proposed raising their taxes as punishment for their leadership. Senator KERRY is apparently oblivious to our 5 percent, four-quarter GDP growth; the record 69 percent homeownership, we just saw it surge in a report we got the day before yesterday; the 4.5 percent productivity growth, which is the fastest in four decades; and, of course, what we are enjoying is low inflation and low interest rates.

These economic gains, Mr. Speaker, have resulted in hundreds of thousands of jobs being created every month, bringing us an unemployment rate which we all know is lower than the average during the seventies, eighties or nineties; 1.4 million new jobs created over the past 7 months alone, since August of last year. And yet JOHN KERRY has said, "The economy in this country is in the worst shape it has been in many, many years. It is the worst jobs record since Herbert Hoover was President. It is the worst growth record since World War II. And the Bush administration policy is dead wrong."

That is what JOHN KERRY has said about the surging, bold, dynamic economic growth that Americans are creating because of policies that George Bush and this Congress have put into place to create that.

Now, that makes for very compelling rhetoric; but actually, Mr. Speaker, I am more interested in the facts, and I believe the American people are as well.

So let us take a look at some economic numbers from the 2004 economy. In keeping with our 20-year theme, I am going to compare them to 1984 numbers. 1984 was a year that witnessed some of the most dramatic economic gains in our country's history. By comparing the 2004 data with the 1984 data, we can put our current economic situation into context and better understand what the numbers mean.

1984: Real GDP growth was at a rate of 7.2 percent in that year, the fastest annual growth rate in 30 years. 2004: real GDP growth has been at 5 percent during the last four quarters, the fastest growth rate in 20 years.

Back in 1984, productivity grew at a 4.5 percent rate, the fastest annual rate on record at that time. Today, 2004, productivity has grown at a 4.5 percent annual rate, which has taken place over the past 3 years, which is the fastest productivity growth rate in 4 decades.

Business investment surged 18 percent in 1984, the highest annual percentage on record; and this year, business investment surged 12.5 percent in the last four quarters alone.

Back in 1984, CEO confidence in the U.S. economy reached an all-time high

in the second quarter of 1983, according to the Conference Board's CEO Confidence Index, which covers more than 100 CEOs in a wide range of industries across the country. This year, 2004, CEO confidence in the U.S. economy is at the highest level in the past 20 years, according to the Conference Board's CEO Confidence Index.

Back in 1984, capacity utilization, which is the Federal Reserve's monthly estimate of the percentage of factory capacity that is being used, increased 8 percent in the 12 months ending in February of 1984, which was the largest 12 month jump on record. In 2004, capacity utilization is at its highest level since July of 2001, and it has increased 2.9 percent since June of 2003, so just about a year ago right now.

Back in 1984, Mr. Speaker, shipments of manufactured durable goods increased 14 percent in 1984 as a whole, one of the largest yearly increases on record. December 1983 saw one of the highest readings in the history of the ISM manufacturing index at 69.9 index points.

This year, 2004, industrial production saw its largest quarterly increase in nearly 4 years, 6.2 percent at an annual rate during the first quarter of 2004, and it increased further in April. The ISM manufacturing employment index increased to its highest level since April of 1973.

Back in 1994, non-farm payroll employment in the first 5 months of 1984 increased by 1.9 million, Mr. Speaker. Now, 2004, the first 5 months of this year, non-farm payroll employment has increased by 1.2 million, on pace for nearly 3 million new jobs to be created in 2004, which is the highest since 1999.

□ 1630

Back in 1984, the unemployment rate fell 3.5 percentage points from 10.8 percent. Remember that: 10.8 percent in the early 1980s was our unemployment rate, December of 1982; and it dropped 3.5 down to 7.3 percent in June of 1983. That is an unemployment rate, Mr. Speaker, from 10.8 percent in December of 1982 down to 7.3 percent in June of 1983.

What is it today in 2004? The unemployment rate is 5.6 percent, not an acceptable level by any means; but it is down from the peak that we saw of 6.3 percent. And as I have said, it is lower than the average unemployment rate during the 1970s, 1980s, and the 1990s.

Mr. Speaker, back in 1994, housing starts surged to 1.8 million, the highest level in 11 years. 2004, housing starts remained near record levels, new-home sales surged by 15 percent last month, and are up over 25 percent from just a year ago. Despite a recent uptick in interest rates, mortgage rates remain near historic lows, making home buying continually easier.

Back in 1984, real disposable personal income increased 7.6 percent in 1983 as a whole, the fastest yearly growth on record. This year, 2004, two decades

later, real disposable income increased at a 4.9 percent annual rate in the first quarter of 2004, faster than its annual pace in 1999 through 2003.

Now, Mr. Speaker, clearly our 2004 economy is strong on all counts, from GDP growth, to job creation, to personal income, to homeownership, right down the line. In fact, our economy is so strong, that even Senator KERRY is having a hard time insisting that we are facing tough economic times.

Now, I suspect that we will continue to hear references, and we actually heard it here on the floor of the House earlier today, to the worst economic record since Herbert Hoover; but that tune is changing just a little. Instead of trying to claim that no jobs are being created, what we are hearing from Senator KERRY is that only bad jobs are being created.

The hamburger-flipping jobs, remember that back to the 1980s, Mr. Speaker? The term "hamburger-flipping jobs" was first coined by a New York Times piece in, surprise, surprise, what year? 1984. And has been resurrected time and time again by people like Ross Perot, Pat Buchanan, John Sweeney, Lou Dobbs; and now JOHN KERRY is trying to breathe new life into the rhetoric of the past by telling Americans that the only jobs being created are those in the local fast-food joint.

JOHN KERRY sent out a press release just last week stating, "The economy has failed to create the new jobs that Bush said his stimulus package would create, and the jobs that have come back pay lower wages."

Now, Mr. Speaker, the fact is real incomes and real purchasing power have been steadily rising for months. Average after-tax income is up nearly \$2,000 since the start of the Bush administration.

Real disposable incomes are growing at an annual 5 percent rate. Job creation in 2004 has been strong in every single occupation category except government work; and it has been particularly strong in high-wage sectors, like professional and business services.

In fact, two-thirds, Mr. Speaker, of all job creation in 2004 has been in industries that pay above the average wage. Americans are finding jobs in amazing fields that years ago did not even exist; but they are very important fields, fields like health care, biotechnology and pharmaceuticals, education, movies, entertainment and digital gaming, recreation, telecommunications, cable, satellite, TV and radio, phones, cellular phones and wireless networks, fashion, insurance, real estate, autos, maintenance and repair, mass transit, investments, whether you call it in the stock market, in pensions or securities and other areas, leisure, hospitality and tourism. Then there are the businesses that service other businesses, like engineering, environmental protection services and technologies, risk management, export and import financing, express delivery.

Now, there are jobs that are directly related to the increasingly global forces and the focus of the U.S. economy, like this entirely new field, this entirely new field of logistics specialists. As supply and production lines become more and more complicated and diverse, businesses are relying on the expertise of this entire new field of logistics experts to coordinate and manage these complex systems.

In fact, the Massachusetts Institute of Technology, MIT, has established this new, entirely new department of logistics studies because of the movement of all these goods. More and more Americans, Mr. Speaker, are also following their entrepreneurial spirit by starting their own businesses and working as independent contractors.

In the example that I pointed to time and time again, and I was thinking of when a moment ago I mentioned the fact that some of those businesses did not even exist, certainly in the 1980s or even a decade ago. There are 430,000 Americans who make their full-time strong living, good income living doing what? Selling full-time on eBay.

Now, again, a decade ago no one would have even contemplated this. The 21st-century economy is affording more and more people the freedom and flexibility to work independently, far from becoming a Nation of hamburger flippers, which was said back in that New York Times article and then through the Presidential campaigns of 1984 and then Michael Dukakis. In 1988, I remember he used the line "McJobs" to describe the jobs that were being created, and now we are hearing that exact same argument coming at us again from JOHN KERRY.

So Americans are actually instead putting innovation and creativity to work making a living in these cutting-edge fields and dramatically improving their quality of life.

And JOHN KERRY keeps reaching for something, anything that he can possibly use to convince the American people that our economy is in the doldrums and that our lives are getting worse and worse.

One of his most recent gimmicks, of course, has been this misery index, which I know my colleague from Indiana has seen, that was put forward back in the 1970s when our economy was in real trouble. Jimmy Carter came up with the misery index, the sum of the national unemployment and inflation rates. It has been used ever since to unofficially gauge the Nation's economic health, that combination of unemployment and inflation. In fact, during the 1996 Presidential campaign, Democrats touted the low misery index as a reason to reelect Bill Clinton, and even many of our colleagues here in the Congress used that.

JOHN KERRY, running for the Senate that year, that year when he was running, he proudly proclaimed that he was proud to run in a year when the misery index was at its lowest level that it had been in 27 years.

Mr. Speaker, it is 2004. The misery index is not very high, because inflation is low and the unemployment rate is low and getting lower, in decline. So what is it that JOHN KERRY has done? He makes up a new misery index because, obviously, the misery index that he was proud to run on, the best in 27 years when he was running in 1996, is a misery index that is even better today than it was when he was so proud. So he has come up with a new idea, and he is trying to tell Americans how miserable they are.

KERRY's new index is, of course, much more complicated than that old favorite which was simply the combination of inflation and unemployment. It is based on seven factors rather than the two that I mentioned: median family income, college tuition, health care costs, gasoline prices, bankruptcies, the homeownership rate, and private sector job growth.

But, Mr. Speaker, the facts just do not wash. According to Senator KERRY's new misery index, President Carter received a higher rating than President Reagan on the misery index, and I would venture to guess that most Americans who lived through the Carter and Reagan years would certainly say that they were better off during Ronald Reagan's term than they were during the Carter Presidency, which plagued them with over 10 percent unemployment rate, as I said, 10.8 percent; and remember, because we know gasoline prices are very high; we do not have the kinds of lines that we had back then in the 1970s when Jimmy Carter was President.

Lower taxes and expanded trade opportunities are the policies that Ronald Reagan vigorously pursued, and they were the exact same policies again that George W. Bush has pursued and that have led to the latest increases that we have seen in job creation. Senator KERRY would do just the opposite of those policies that have continued to create historic, dynamic, bold, job-creating, economic growth.

The policies of KERRY's proposals are to raise taxes, to discourage open trade. He said of the North American Free Trade Agreement that he voted for it back then; but if he had to do it over again, he would vote against it. As I said in my exchange earlier with the gentleman from Ohio (Mr. BROWN), we now enjoy a quarter of a trillion dollars of two-way trade between Mexico and the United States. It needs to get better. We still have very serious problems. But this notion of trying to blame the notion of free trade and JOHN KERRY calling for a renegotiation is really pandering to the lowest common denominator. And, of course, that kind of talk does play a role in creating a degree of misery.

This made-up misery index of Senator KERRY's actually ignores some key facts about our growing economy. After-tax incomes are up by 11 percent since December of 2000, just before President Bush took office, substan-

tially higher than following the last recession; and household wealth is near an all-time high. Inflation is low, as we discussed, and interest rates and mortgage rates are near historic lows. Homeownership rates, as I have mentioned, are near record highs, with minority homeownership at its highest rate ever.

I underscore that again for our colleagues on both sides of the aisle who regularly try to create this very, very divisive view. Minority homeownership today, Mr. Speaker, is at its highest level in our Nation's history. Homeownership rates, as I have discussed, continue, continue to grow all the way across the board. The Dow Jones Industrial Average rose by 25 percent in 2003, and the NASDAQ rose by 50 percent. Consumer confidence is on the rise again, according to an ABC News Money Magazine Consumer Comfort Index.

In case you are wondering what the old misery tells us about the economy today and the economies of the past, here are the numbers. And remember, the higher it is, the more miserable we are supposed to be. In 1976, it was 13.5 percent; in 1996 it was 8.4 percent; and today, the misery index is 7.7 percent. Sounds like Mr. KERRY is the only one who is actually miserable these days.

Another gimmick that has been used by Senator KERRY that he likes to talk about are the "glory days" of 1996 when Bill Clinton was running for reelection. He likes to talk about what a strong, vibrant economy we had back then, and he likes to claim that today, we are far worse off than we were then. We have already taken a detailed look at the parallels between 1984, 2 decades ago, when Walter Mondale was the candidate for President of the United States for the Democrats, and 2004; but since JOHN KERRY is so fond of reminiscing about 1996, I would like to, in just a moment, after I yield to my colleagues, talk about a juxtaposition between what Senator KERRY and Senator KENNEDY of course would describe as the glory days of 1996, and compare those to what we are witnessing today.

So I would be happy to yield to either of my colleagues, the gentleman from Indiana or the gentleman from New Mexico, if they would like to actually enlighten our colleagues on these issues. So since he is on his feet, I am happy to yield to my friend, the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Speaker, I have just a couple of comments. As the gentleman is talking about the actual economy and the country right now, what I have found is that the continued harping from the other side here in this body has caused the Nation to be a little suspicious that maybe their success is the only success. I have found in my district that people come up and say, you know, I know they are not having too good results in the rest of the country, but I am having my best year ever. A window manufacturer in my district told me that exact thing, that they

have had their best year ever and they have been in business for several years.

We have another business in Berlin that is beginning to export very high-quality welding across the world; and again, they are saying, we are having a tremendous year.

One of the things that I would like to point out is that during the committee hearings yesterday on the soda ash industry, we found that back about 3 years ago, arbitrarily, the government raised taxes from 4 percent to 6 percent on soda ash.

□ 1645

Now, that soda ash industry made \$700 million in revenue last year, they made no profit but they paid \$100 million in taxes. We are losing business to China because China, in the same number of \$700 million in revenue, actually in the soda ash industry, paid no taxes. And so our companies make no profit and yet they pay \$100 million in taxes.

I will augment what the gentleman said about free trade, that free trade is beginning to point out the deficiencies of our tax systems here that we do actually have a repressive tax system that is costing us jobs in the soda ash industry, in the potash industry, in every manufacturing industry that there is.

And I think that it is time for us to begin to try to help American manufacturers, American miners, and American oil companies rather than hurt them.

Mr. DREIER. Mr. Speaker, I thank my friend for that very helpful contribution, again underscoring the fact that many of our colleagues have a tendency to point the finger outward and blame everyone else as to why we have economic challenges here at home.

It is one of the reasons that we dealt with last week the American Jobs Creation Act, a very important piece of legislation designed to decrease the tax that we have and, later, the regulatory burden, continuing on that road towards creating more and more incentive right here at home, opportunity for job creators to be able to succeed and compete globally. We need to shape the global economy. I regularly argue that if we do not shape the global economy, we will be shaped by it. And that is very important for us.

Now, another very, very hard working and thoughtful new Member of Congress who is now a veteran having served almost 2 years ago, the gentleman from Indiana (Mr. PENCE), I am happy to recognize him.

Mr. PENCE. Mr. Speaker, I thank the chairman for yielding. It is an honor to be able to join the most energetic voice for growth and prosperity in America in this Congress today. I commend the chairman for his leadership and his passion, so evident to anyone looking in today.

But it is not really about the passion or eloquence that people have been exposed to today, Mr. Speaker, it is just

simply about the facts and has been stated and quoted on this floor. Facts are stubborn things. And the reality is that because of the leadership of George W. Bush and because of this Congress's willingness in the wake of both recession that took hold in the waning days of the Clinton administration, and a horrific national tragedy that took place on a day that I was in this building in September of 2001, this President, nevertheless, has led this Nation on the world stage to a place where we will celebrate, as the chairman said moments ago, an Independence Day for a free and democratic Iraq this week, just a few days before we celebrate the 228th anniversary of our own Independence Day.

And because of the leadership of that very same president, George W. Bush, we are, despite the best efforts of the likely democratic nominee, Senator JOHN KERRY and many in his party on this floor who would wish it away or talk it away, we are in the midst of an extraordinary recovery that is as my colleague just suggested, being experienced by Americans in real ways in New Mexico, in the State of Indiana, in the State of California where the chairman serves, and all across this Nation.

But I was very intrigued by the comments of the gentleman from New Mexico that he is hearing from citizens that he serves that they are sorry that things are not better elsewhere, but they are really good here. Because I am going home to my heartland district in eastern Indiana hearing much the same thing.

It is as though, when the statistics that the gentleman from California (Chairman DREIER) just went over, Mr. Speaker, 1.5 million new jobs since August, 257,000 new jobs per month, I pulled the Indiana statistics in preparation for this, Indiana, where manufacturing is really right there with agriculture, Indiana is the second leading exporting State in the union. And manufacturing and exporting in our state, rather than the 11 percent of the national average, is 20 percent of our State's economy.

And in the State of Indiana in the last year alone, international exports from Indiana increased nearly 10 percent in 2003. And it is because of the President's lean-forward approach to tax relief, deregulation, and an issue that probably no one champions here more than the gentleman from California, Mr. Speaker, is this business of expanded international trade.

Hoosiers know that trade means jobs. And it is contributing mightily to these undeniable statistics that the chairman has cited so eloquently and passionately today. America's standard of living is on the rise. Real after-tax income up 11 percent since December of 2000, consumer confidence at its highest level in the past 4 months alone, mortgage rates remain near historic lows, and yet it is as though many of our colleagues on the other side of the aisle and their democratic presidential

candidate would say to us what Groucho Marx said famously in his career, "Who are you going to believe, me or your own eyes?"

And it seems to me all together fitting that as we approach this Independence Day recess, that the gentleman from California (Chairman DREIER) would pull this special order together as many of us are outbound back to our States, as I and my family are, to go to work and to enjoy picnics and have family times to say one last time before we go into this break what the reality is.

The reality is that freedom is expanding at home and abroad, a free market economy is expanding because of the policies and practices of George W. Bush and a Republican majority in the House and in the Senate that have doggedly and determinedly pursued economic freedom at home and abroad.

And for all those reasons, as the chairman said, I think very eloquently in his opening remarks, for all of those reasons, the United States of America is able to be the arsenal of democracy, is able to come along side the people of Iraq and even 30 years of despotism by a murderous, barbaric, dictator who literally claimed the lives, snuffed out the lives of over 1.2 million men and women, boys and girls over the last 30 years. 400,000 bodies have been found, 600,000, 700,000 remain missing. These are the facts. Facts are stubborn things.

But we are able, and the families of American servicemen and women are able, to project forward the interest of the advancement of liberty because we are prosperous at home.

It seems to me, as I close and prepare to yield back my time, that freedom is contagious, economic freedom is contagious, political freedom is contagious, but it is only contagious when freedom at home is vibrant. What my colleague understands and what the gentleman from Illinois (Speaker HASTERT) understands, and President George Bush understands, and I hope anyone looking in today understands, is that that Republican majority and this Republican President believe in freedom. They believe in a vibrant freedom at home and a contagious freedom across the world, economic and political, and are prepared to make the sacrifices and take the blows from the left to achieve that.

So I thank the chairman for his dogged optimism and vision.

Mr. DREIER. Mr. Speaker, let me express my appreciation to the very thoughtful and provocative remarks by my friend from Indiana. He put it extraordinarily well. The interdependence of economic and political freedom are so clear.

And getting back to this notion that a strong, bold, dynamic vibrant U.S. economy is going to have a positive ripple effect, and it directly itself is going to help provide the revenues necessary for us to help in our continued quest to bring about political pluralism, self-determination, the rule of

law in Iraq, we know full well that it is going to be a continued painful time.

We got the tragic news yesterday of the death of nearly 100 Iraqis. But that will lead us to strengthen our resolve. And, again, the important thing we need to do is underscore our commitment right here at home to keep this economy growing so that we can help others.

Before I yielded to my friend from Indiana, I was talking about earlier the juxtaposition of 1984 and what was said by Walter Mondale at that time, who was running against Ronald Reagan, what is taking place today in the campaign between JOHN KERRY and George W. Bush and the fact that JOHN KERRY and many others referred to 1996 as the glory days.

And we were talking about this misery index, the traditional one that has existed which is a combination of unemployment and inflation, and this new one which has five criteria that are included in the mix here.

What I would like to do is to focus back on 1996 and compare that to 2004. In 1996, Mr. Speaker, the average monthly payroll job creation was 233,000, as was just said by my colleague, the average monthly payroll job creation has been in excess of 238,000. He referred to the 257,000 number that we saw last month, but it has consistently been in excess, higher than it was back in those glory days of 1996.

Back in 1996 the number of manufacturing jobs created was 15,000. In 2004, so far, the number of manufacturing jobs, manufacturing jobs created has been 91,000. In fact, last month we saw the largest manufacturing job growth in 45 months. Again, that compares to the glory days of 1996 where we saw 15,000 created.

Back in 1996, the percent of new jobs paying above the median wage was 60 percent. Actually in 2004 the number is exactly the same. The percent of new jobs paying above the median wage is 60 percent.

In 1996, Mr. Speaker, the glory days of 1996, to which JOHN KERRY refers, guess what the unemployment rate was? Mr. Speaker, it was 5.6 percent. Those were the glory days. Today the unemployment rate is 5.6 percent. Again, not an acceptable level at all. We want it to get better. But as people juxtapose 1996 and those glory days to the horrible miserable days of 2004, we need to recognize that those numbers are the exact same.

Mr. Speaker, the unemployment rate back in 1996 for African Americans was 10.2 percent. Today, again, not an acceptable level, but a full percentage point lower, 9.2 percent. Back then the unemployment rate in the Latino community, much of which I am privileged to represent in southern California, was 9.6 percent back in the glory days of 1996. In the miserable time as described by Mr. KERRY of 2004, the unemployment rate for Latinos is 7 percent.

Back in the glory days of 1996, as described by Mr. KERRY, the average GDP growth over the previous three quarters was 3.1 percent. This year, 2004, what is described again by Mr. KERRY as the miserable time, the average GDP growth rate over the previous three quarters has been 5.4 percent.

Back in 1996, again, the glory days as described by Mr. KERRY, the inflation rate was 2.8 percent. Today, 2004, this miserable time, the inflation rate is only 2.2 percent.

Now, JOHN KERRY likes to talk about how strong the economy was during Bill Clinton's reelection campaign and this current economic situation. But a look at the actual facts reveals that despite a recession, a massive terrorist attack, corporate scandals, and this ongoing war on terror, our economy weathered these storms and came out even stronger than those so-called booming days of 1996.

Now, I have gone through, Mr. Speaker, along with my colleagues a lot of economic data to demonstrate the strength of our economy and the success of an economic agenda based on cutting taxes and tearing down barriers to the worldwide economy. But it is easy to get lost in these numbers and lose sight of what exactly all of this means.

So I would like to talk about some real life examples as my colleague from New Mexico did, examples of how granting Americans greater economic freedom empowers them to prosper and create new opportunities. In March of this year, President Bush travelled to New Hampshire to meet with small business owners. One of the people he spoke with was a first generation American, George Kassas, a native of Lebanon. Mr. Kassas founded his own company, founded his own company back in 2001, shortly after President Bush took office. He was his own boss and the only employee.

Today Mr. Kassas employs 100 people in Derry, New Hampshire. The company is called Cedar Point Communications. It produces voice-over IP switching technology which is used by broadband service providers like cable operators so that they can provide telephone service over cable wires.

□ 1700

Mr. Speaker, again, this is a new technology, something that consumers could not have even imagined two decades ago, but George Kassas came up with an idea and built a business out of it. His burgeoning company is flourishing, and it is an economic environment that is specifically geared towards expanding the economy and creating more jobs. Lower taxes and more investment opportunities like business expensing have made it possible.

Mr. Kassas is hoping to start exporting his products this year and to continue to do so well into the future. Now, that means he needs and wants the opportunity to export his product so that his company can grow and grow and hire more people.

It is a fact. Economic isolationism would prevent George Kassas from growing his company. We need to continue pursuing open trade policies through trade agreements that create exporting opportunities for small business owners like George Kassas.

Another prime example of small business success in this economy is D.G. O'Brien, Incorporated, another high-tech company in New Hampshire. D.G., Incorporated, is an older company than Cedar Point, but it has thrived thanks to lower taxes and greater investment opportunities.

D.G., Inc., employs 175 people. They produce electrical and optical interconnection systems for high pressure, highly corrosive, sub-sea and nuclear systems. D.G., Inc., is a medium-sized company that pays its taxes in the top 35 percent tax bracket.

Thanks to the tax relief that we have passed in the last 3 years, D.G., Inc.'s, tax burden has lowered, and it was able to spend \$400,000 in capital equipment in 2003 and will be spending \$500,000 in capital equipment this year. With that money they have bought everything from machine tools to computers, all of it helping improve their productivity and the health of their company.

Under JOHN KERRY's economic plan, companies like D.G., Inc., would see that tax relief totally erased. A higher tax burden would translate into fewer investment dollars and would otherwise enable this growing company to create new jobs.

A higher tax burden would derail the strong growth that we have been witnessing for many months, powered by both small and large companies, as well as entrepreneurs who are out there creating opportunities for themselves.

The Bureau of Labor Statistics Payroll Survey shows not only robust job creation of payroll jobs for the past several months, but these gains are widespread, spanning over all sectors and all parts of our country. Net job creation is up in 44 of the 50 States over the last year, and the unemployment rate is down in all regions and in 46 of the 50 States.

The most recent payroll jobs data show that for the month of May this widespread net job creation continues: 10,700 new jobs in Pennsylvania; 8,300 new jobs in Michigan; 4,100 new jobs in Connecticut; 23,600 new jobs in my State of California; 13,400 new jobs in North Carolina; 9,700 new jobs in Massachusetts; 8,400 new jobs in Arizona; 1,100 new jobs in Ohio; 25,400 new jobs created in New York; 12,900 new jobs created in Texas; 6,800 new jobs created in Florida; 12,100 new jobs created in Wisconsin; 9,500 new jobs created in New Jersey; 8,300 new jobs created in Virginia; 5,700 new jobs in Oklahoma; 8,100 new jobs created in Maryland; 4,100 new jobs in Kansas.

The list goes on and on and on, Mr. Speaker. Furthermore, these jobs numbers encompass every single category of work except government employment. Every field, from manufacturing

to construction to business services, witnessed the creation of thousands of new jobs.

Again, these numbers that I share with my colleagues are just from last month alone, and these numbers do not even take into account the fastest growing sector of our labor force, self-employment and independent contracting. Those numbers were not even included in the figures that I gave my colleagues, which make up a third of all new job creation.

There is simply no denying the fact that we have a strong, growing, bold, dynamic economy that is creating good jobs in every corner of our Nation. JOHN KERRY wants to deny the facts. He wants Americans to believe that we are in a state of economic crisis. He wants us to believe that there are no good job opportunities out there. He wants us to believe that our lives are getting worse.

Of course, things can get better, but pessimism is not based in reality. It is not based on the strong growth, rapid job creation, thriving small businesses and climbing incomes that we are witnessing across this country.

This pessimism, Mr. Speaker, is also dangerous. Our prosperity is helping us to wage a global war on terrorism.

Next Wednesday marks this very important handover. We are going through difficult times, there is no doubt about it, but our economic strength right here at home is part of the foundation of our security as a Nation, and that clearly has a ripple effect across the world.

The evidence shows of the inextricable tie between our growing economy and peace and stability and growing job-creating economies throughout the world. It is the right thing to do.

I appreciate the fact that my colleagues have participated in this. I appreciate the forbearance that the Speaker has shown, as well as those of the staff who have joined us here.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BOYD (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. KILPATRICK (at the request of Ms. PELOSI) for today after 1:00 p.m. on account of personal reasons.

Ms. SLAUGHTER (at the request of Ms. PELOSI) for today on account of illness.

Ms. CARSON of Indiana (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. COBLE (at the request of Mr. DELAY) for today after 11:45 a.m. on account of obligations in his district.

Mr. BARTON of Texas (at the request of Mr. DELAY) for today on account of attending the funeral of a district staff person.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FILNER) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DEFazio, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. VAN HOLLEN, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

(The following Members (at the request of Mr. PENCE) to revise and extend their remarks and include extraneous material:)

Mr. WELDON of Florida, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. GINGREY, for 5 minutes, today.

SENATE BILLS REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1292. An act to establish a servitude and emancipation archival research clearinghouse in the National Archives; to the Committee on Government Reform.

S. 1932. An act to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibition facility, to provide criminal and civil penalties for unauthorized distribution of commercial prerelease copyrighted works, and for other purposes; to the Committee on the Judiciary.

S. 2237. An act to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General, and for other purposes; to the Committee on the Judiciary.

S. 2322. An act to amend chapter 90 of title 5, United States Code, to include employees of the District of Columbia courts as participants in long term care insurance for Federal employees; to the Committee on Government Reform.

S. Con. Res. 83. Concurrent resolution promoting the establishment of a democracy caucus within the United Nations; to the Committee on International Relations.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 884. An act to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, and 326-K, and for other purposes.

H.R. 1731. An act to amend title 18, United States Code, to establish penalties for aggravated identity theft, and for other purposes.

H.R. 2751. An act to provide new human capital flexibilities with respect to the GAO, and for other purposes.

H.R. 3864. An act to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land.

H.R. 4103. An act to extend and modify the trade benefits under the African Growth and Opportunity Act.

H.R. 97. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on June 25, 2004 he presented to the President of the United States, for his approval, the following bills.

H.J. Res 97. Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

H.R. 884. To provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, and 326-K, and for other purposes.

H.R. 2751. To provide new human capital flexibilities with respect to the GAO, and for other purposes.

ADJOURNMENT

Mr. DREIER. Mr. Speaker, pursuant to Senate Concurrent Resolution 120, 108th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. GINGREY). Pursuant to the provisions of Senate Concurrent Resolution 120, 108th Congress, the House stands adjourned until 2 p.m. on Tuesday, July 6, 2004.

Thereupon (at 5 o'clock and 7 minutes p.m.), pursuant to Senate Concurrent Resolution 120, 108th Congress, the House adjourned until Tuesday, July 6, 2004, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8822. A communication from the President of the United States, transmitting requests for FY 2005 budget amendments for the Departments of Commerce, Health and Human Services, Justice, State, and Transportation; as well as the General Services Administration, the Election Assistance Commission, and the Federal Communications Commission; (H. Doc. No. 108-197); to the Committee on Appropriations and ordered to be printed.

8823. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Fair Credit Reporting Act [Regulation V; Docket No. R-1187] received June 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8824. A letter from the Deputy Assistant Secretary for Policy, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Health Care Continuation Coverage, Correction (RIN: 1210-AA60) received June 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8825. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting a report to Congress on Bulgaria's status as an adherent to the Missile Technology Control Regime (MTCR), pursuant to 22 U.S.C. 2797b-1; to the Committee on International Relations.

8826. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319 and A320 Series Airplanes [Docket No. 2002-NM-278-AD; Amendment 39-13608; AD 2004-09-19] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8827. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30412 ; Amdt. No. 448] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8828. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Moberly, MO. [Docket No. FAA-2004-17420; Airspace Docket No. 04-ACE-21] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8829. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Chappell, NE. [Docket No. FAA-2004-17421; Airspace Docket No. 04-ACE-22] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8830. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30415; Amdt. No. 3098] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8831. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30410; Amdt. No. 3098] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8832. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30411; Amdt. No. 3095] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8833. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30413; Amdt. No. 3096] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8834. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30414; Amdt. No. 3097] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8835. A letter from the Paralegal Specialist, FAA, Department of Transportation,

transmitting the Department's final rule — Establishment of Class E Airspace; Allakaket, AK [Docket No. FAA-2004-17496; Airspace Docket No. 04-AA1-04] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8836. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Kipnuk, AK [Docket No. FAA-2004-17497; Airspace Docket No. 04-AA1-05] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8837. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Model L-1011 Series Airplanes [Docket No. 2000-NM-145-AD; Amendment 39-13618; AD 2004-09-28] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8838. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Manchester, NH [Docket No. FAA-2003-16707; Airspace Docket No. 2003-ANE-104] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8839. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 2004-SW-08-AD; Amendment 39-13637; AD 2004-10-07] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8840. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Wayne, NE. [Docket No. FAA-2004-17912; Airspace Docket No. 04-ACE-38] received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8841. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F27 Mark 100, 200, 300, 400, 500, 600, and 700 Series Airplanes [Docket No. 2002-NM-253-AD; Amendment 39-13613; AD 2004-09-23] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8842. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-11 and -11F Airplanes [Docket No. 2001-NM-161-AD; Amendment 39-13430; AD 2004-01-16] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8843. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Model 1900, 1900C, 1900C (C-12J), and 1900D Airplanes [Docket No. 95-CE-46-AD; Amendment 39-13596; AD 2004-09-07] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8844. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727-100, and -200; 737-100, -200, -200C, -300, -400, and -500; and 747 Series Airplanes [Docket No.

2001-NM-297-AD; Amendment 39-13636; AD 2004-10-06] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8845. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes [Docket No. 2002-NM-58-AD; Amendment 39-13607; AD 2004-09-18] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8846. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 Series Airplanes [Docket No. 2004-NM-44-AD; Amendment 39-13622; AD 2004-09-32] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8847. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and EMB-145 Series Airplanes [Docket No. 2002-NM-165-AD; Amendment 39-13604; AD 2004-09-15] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8848. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Model 328-100 and -300 Series Airplanes [Docket No. 2003-NM-263-AD; Amendment 39-13605; AD 2004-09-16] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8849. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400, 747-400D, 747-400F, 757-200, 757-200PF, 757-200CB, 767-200, 767-300, and 767-300F Series Airplanes [Docket No. 2003-NM-40-AD; Amendment 39-13635; AD 2004-10-05] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8850. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, A300 B4-600R, and A300 F4-600R (Collectively Called A300-600), A310, A319, A320, A321, A330, and A340-200 and -300 Series Airplanes [Docket No. 2003-NM-19-AD; Amendment 39-13632; AD 2004-10-02] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8851. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-215-6B11 (CL215T Variant), and CL-215-6B11 (CL415 Variant) Series Airplanes [Docket No. 2003-NM-199-AD; Amendment 39-13634; AD 2004-10-04] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8852. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Glasflugel — Ing. E. Hanle Model GLASFUGEL Kestrel Sailplanes [Docket No. 2003-CE-60-AD; Amendment 39-13591; AD 2004-09-02] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8853. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601), and CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604) Series Airplanes [Docket No. 2003-NM-175-AD; Amendment 39-13628; AD 2004-09-37] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8854. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Model 328-100 and Model 328-300 Series Airplanes [Docket No. 2003-NM-112-AD; Amendment 39-13601; AD 2004-09-12] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8855. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Galaxy and Gulfstream 200 Airplanes [Docket No. 2004-NM-70-AD; Amendment 39-13614; AD 2004-09-24] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8856. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Series Airplanes Powered by General Electric or Pratt & Whitney Engines [Docket No. 2002-NM-275-AD; Amendment 39-13603; AD 2004-09-14] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8857. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ and EMB-145XR Series Airplanes [Docket No. 2003-NM-218-AD; Amendment 39-13602; AD 2004-09-13] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8858. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2003-NM-47-AD; Amendment 39-13566; AD 2004-07-22] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8859. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 Series Airplanes [Docket No. 2003-NM-128-AD; Amendment 39-13589; AD 2004-08-19] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8860. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Model 328-300 Series Airplanes [Docket No. 2002-NM-156-AD; Amendment 39-13588; AD 2004-08-18] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8861. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Models 208 and 208B Airplanes [Docket No. 2004-CE-09-AD; Amendment 39-13587; AD 2004-08-17] (RIN: 2120-AA64) received

June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8862. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace LP Model Astra SPX and 1125 Westwind Astra Series Airplanes [Docket No. 2002-NM-236-AD; Amendment 39-13565; AD 2004-07-21] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8863. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-14, DC-9-15, and DC-9-15F Airplanes; Mode DC-9-20, -30, -40, and -50 Series Airplanes; and Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), MD-88, and MD-90-30 Airplanes [Docket No. FAA-2003-16647; Directorate Docket No. 2002-NM-203-AD; Amendment 39-13520; AD 2004-05-25] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8864. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400 and -400D Series Airplanes [Docket No. 2004-NM-01-AD; Amendment 39-13564; AD 2004-07-20] (RIN: 2120-AA64) received June 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8865. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Significant reduction in retiree health coverage during the cost maintenance period. (Rev. Rul. 2006-65) received June 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8866. A letter from the Chief, Publications & Regulations, Internal Revenue Service, transmitting the Service's final rule — Required Distributions from Retirement Plans [TD 9130] received June 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8867. A letter from the Secretary, Department of Homeland Security, transmitting a report entitled "Unmanned Aerial Vehicles Applications to Homeland Security Missions," pursuant to Public Law 108-136, section 1034; jointly to the Committees on Armed Services and Transportation and Infrastructure.

8868. A letter from the Deputy Architect/Chief Operating Officer for the Architect of the Capitol, transmitting an action plan addressing the policies, procedures, and actions to be implemented in carrying out the responsibilities entrusted to the Office, pursuant to Public Law 108-7, section 1203; jointly to the Committees on House Administration and Transportation and Infrastructure.

8869. A letter from the Secretary, Department of Commerce, transmitting a draft bill "To establish the National Oceanic and Atmospheric Administration (NOAA), to amend the organization and functions of the NOAA Advisory Committee on Oceans and Atmosphere, and for other purposes"; jointly to the Committees on Resources and Science.

8870. A letter from the Secretary, Department of Energy, transmitting a draft of proposed legislation to enhance the effectiveness of the Department's defense and national security programs; jointly to the Committees on Armed Services, International Relations, and Energy and Commerce.

8871. A letter from the Secretary, Department of Homeland Security, transmitting a

letter prepared jointly by the Secretary of the Department in which the Coast Guard is operating, the Secretaries of Commerce and Interior, Environmental Protection Agency, and the Attorney General transmitting the report on the immunity of a private responder (other than a person responsible for the vessel or facility from which oil is discharged) from liability for criminal and civil penalties for the incidental take of a protected species while carrying out oil spill response actions, as required by Section 400 of the Maritime Transportation Security Act of 2002; jointly to the Committees on Transportation and Infrastructure, the Judiciary, and Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POMBO: Committee on Resources. H.R. 3819. A bill to redesignate Fort Clatsop National Memorial as the Lewis and Clark National Historical Park, to include in the park sites in the State of Washington as well as the State of Oregon, and for other purposes; with an amendment (Rept. 108-570). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2831. A bill to authorize the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District; with an amendment (Rept. 108-571). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 1716. A bill to amend title 38, United States Code, to improve educational assistance programs of the Department of Veterans Affairs for apprenticeship or other on-job training, and for other purposes; with an amendment (Rept. 108-572 Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. H.R. 2828. A bill to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources; with an amendment (Rept. 108-573 Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Armed Services discharged from further consideration. H.R. 1716 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 2828 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1716. Referral to the Committee on Armed Services extended for a period ending not later than June 25, 2004.

H.R. 2828. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than June 25, 2004.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SAM JOHNSON of Texas:

H.R. 4714. A bill to amend the Internal Revenue Code of 1986 to provide for retirement savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. NUSSLE:

H.R. 4715. A bill to clarify the obligations of the Federal Communications Commission to issue licenses using competitive bidding procedures; to the Committee on Energy and Commerce.

By Ms. WATERS:

H.R. 4716. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Ballona Bluff, located in Los Angeles, California, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. OTTER (for himself, Mr. STENHOLM, Mr. FLAKE, Mr. SIMPSON, Mr. BEREUTER, Mr. PEARCE, Mr. CANNON, Mr. KOLBE, and Mr. DOOLITTLE):

H.R. 4717. A bill to allow small public water systems to request an exemption from the requirements of any national primary drinking water regulation for a naturally occurring contaminant, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS of Kentucky (for himself and Mr. WHITFIELD):

H.R. 4718. A bill to amend the Internal Revenue Code of 1986 to provide a credit to certain agriculture-related businesses for the cost of protecting certain chemicals; to the Committee on Ways and Means.

By Mr. BAKER (for himself, Mr. ROYCE, and Mr. HENSARLING):

H.R. 4719. A bill to amend the Truth in Lending Act to limit the liability of any assignee of a creditor, and for other purposes; to the Committee on Financial Services.

By Ms. BALDWIN (for herself, Mr. KUCINICH, Mr. KILDEE, Ms. SOLIS, and Mr. RUSH):

H.R. 4720. A bill to amend the Family and Medical Leave Act of 1993 to eliminate an hours of service requirement for benefits under that Act; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York (for himself, Mrs. MCCARTHY of New York, Mr. GRIJALVA, and Mr. BISHOP of Georgia):

H.R. 4721. A bill to amend the Internal Revenue Code of 1986 to exclude from estate taxes the value of farmland so long as the farmland use continues and to repeal the dollar limitation on the estate tax exclusion for land subject to a qualified conservation easement; to the Committee on Ways and Means.

By Mr. BRADLEY of New Hampshire (for himself and Mr. BASS):

H.R. 4722. A bill to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and for other purposes; to the Committee on Resources.

By Mr. BRADLEY of New Hampshire (for himself and Mr. SENSENBRENNER):

H.R. 4723. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for student loan payments made by an employer on behalf of an employee; to the Committee on Ways and Means.

By Mr. BURR (for himself, Mr. BALLENGER, Mr. COBLE, and Mr. PRICE of North Carolina):

H.R. 4724. A bill to amend title XVIII of the Social Security Act to provide for coverage of clinical pharmacist practitioner services under part B of the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Oklahoma:

H.R. 4725. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Glover River in the State of Oklahoma as a component of the National Wild and Scenic Rivers System; to the Committee on Resources.

By Mr. CARTER:

H.R. 4726. A bill to prevent discriminatory taxation of natural gas pipeline property by the States; to the Committee on the Judiciary.

By Mr. CHABOT:

H.R. 4727. A bill to amend the Agricultural Trade Act of 1978 to eliminate the market access program; to the Committee on Agriculture.

By Mr. CONYERS (for himself, Ms. LOFGREN, Mr. MEEHAN, Ms. WATERS, and Ms. LINDA T. SANCHEZ of California):

H.R. 4728. A bill to affirm that the United States may not engage in torture or cruel, inhuman, or degrading treatment or punishment, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMANUEL:

H.R. 4729. A bill to amend the Internal Revenue Code of 1986 to rename the earned income credit as the Ronald Reagan earned income credit; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself and Mr. VISLOSKY):

H.R. 4730. A bill to maintain and expand the steel import licensing and monitoring program; to the Committee on Ways and Means.

By Mr. GERLACH (for himself and Mrs. TAUSCHER):

H.R. 4731. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH (for himself, Mr. UDALL of Colorado, Mr. HOLDEN, Mr. OTTER, Mr. MILLER of Florida, and Mr. HOSTETTLER):

H.R. 4732. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received as damages and attorneys fees and costs under Federal whistleblower protection laws and to allow income averaging for amounts received as lost income; to the Committee on Ways and Means.

By Ms. HOOLEY of Oregon:

H.R. 4733. A bill to provide improved income security for members of the Individual Ready Reserve who are called to active duty; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHN:

H.R. 4734. A bill to amend the Indian Gaming Regulatory Act to include a definition of initial reservation and consultation, and for other purposes; to the Committee on Resources.

By Mr. LATHAM (for himself, Mr. NUSSLE, Mr. BOSWELL, Mr. LEACH, and Mr. KING of Iowa):

H.R. 4735. A bill to authorize the Secretary of Agriculture to make a grant to the World Food Prize Foundation to assist the Foundation in covering renovation expenses related to the World Food Prize, which is awarded to individuals who make vital contributions to improving the quality, quantity, or availability of food throughout the world; to the Committee on Agriculture.

By Ms. MCCARTHY of Missouri (for herself, Mr. RANGEL, Mr. BURTON of Indiana, Ms. SLAUGHTER, Mr. DOGGETT, Mr. KUCINICH, Mr. SCHIFF, Mr. MCINTYRE, Mr. MCGOVERN, and Ms. MILLENDER-MCDONALD):

H.R. 4736. A bill to amend the Internal Revenue Code of 1986 to encourage the production of independent motion picture films in the United States; to the Committee on Ways and Means.

By Mr. MEEKS of New York (for himself, Mr. ISRAEL, Ms. LEE, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FRANK of Massachusetts, Mr. NADLER, Mr. ENGEL, Mr. OWENS, Mr. CROWLEY, Mrs. MALONEY, Mr. BISHOP of Georgia, and Mr. SERRANO):

H.R. 4737. A bill to provide additional exemptions from the community service requirement for a resident of a public housing project; to the Committee on Financial Services.

By Mr. MEEKS of New York (for himself, Mr. ISRAEL, Ms. LEE, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FRANK of Massachusetts, Mr. NADLER, Mr. ENGEL, Mr. OWENS, Mr. CROWLEY, Mrs. MALONEY, Mr. BISHOP of Georgia, and Mr. SERRANO):

H.R. 4738. A bill to provide that a resident of a public housing project who performs community service shall receive priority consideration for participation in economic self-sufficiency programs sponsored by a public housing agency, and for other purposes; to the Committee on Financial Services.

By Mr. MICHAUD (for himself, Mr. ALLEN, Mr. BASS, Mr. SANDERS, and Mr. MCHUGH):

H.R. 4739. A bill to establish the Northeast Regional Development Commission, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Ms. PELOSI, Mr. OWENS, Mr. LANTOS, Mr. PALLONE, Ms. LEE, Mr. HOFFEL, Mr. SANDLIN, Mr. FRANK of Massachusetts, Mr. TIERNEY, Mr. FROST, Mr. MARKEY, Mr. DEFAZIO, Ms. SOLIS, Mr. BISHOP of Georgia, Ms. BALDWIN, Ms. WATSON, Mr. MEEHAN, Mr. BROWN of Ohio, Ms. WOOLSEY, Mr. VISLOSKY, Ms. SLAUGHTER, Mr. MCDERMOTT, Ms. LINDA T. SANCHEZ of California, Ms. DELAUNO, and Mr. KANJORSKI):

H.R. 4740. A bill to amend the Worker Adjustment and Retraining Notification Act to provide protections for employees relating to the offshoring of jobs; to the Committee on Education and the Workforce.

By Mrs. MYRICK:

H.R. 4741. A bill to suspend temporarily the duty on Diresul Brown CR Liquid Crude; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4742. A bill to suspend temporarily the duty on Foron Blue S-BGL granules; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4743. A bill to suspend temporarily the duty on Diresul Brown FS Liquid Crude; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4744. A bill to suspend temporarily the duty on Diresul Tan RDT-RW Liquid; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4745. A bill to suspend temporarily the duty on Diresul Brown GN Liquid Crude; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 4746. A bill to amend the Military Selective Service Act to terminate the registration requirement and the activities of civilian local boards, civilian appeal boards, and similar local agencies of the Selective Service System, and for other purposes; to the Committee on Armed Services.

By Mr. PALLONE:

H.R. 4747. A bill to ensure that the goals of the Dietary Supplement Health and Education Act of 1994 are met by authorizing appropriations to fully enforce and implement such Act and the amendments made by such Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PORTER:

H.R. 4748. A bill to amend the Internal Revenue Code of 1986 to modify and make refundable the credit for expenses for household and dependent care services necessary for gainful employment; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. WAXMAN, Mr. SPRATT, Mr. MEEHAN, and Mr. CRAMER):

H.R. 4749. A bill to require accountability for personnel performing Federal contracts with private security contractors; to the Committee on Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENZI (for himself and Mr. HAYES):

H.R. 4750. A bill to require any uniforms purchased for the Border Patrol to be made in the United States; to the Committee on Government Reform.

By Mr. REYES (for himself, Mr. BELL, Mr. BRADY of Texas, Mr. DOGGETT, Mr. EDWARDS, Mr. FROST, Mr. GONZALEZ, Mr. GREEN of Texas, Mr. HALL, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LAMPSON, Mr. ORTIZ, Mr. RODRIGUEZ, Mr. SANDLIN, Mr. SESSIONS, Mr. STENHOLM, and Mr. TURNER of Texas):

H.R. 4751. A bill to redesignate the Rio Grande American Canal in El Paso, Texas, as the "Travis C. Johnson Canal"; to the Committee on Resources.

By Mr. SCOTT of Virginia (for himself, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Mr. RANGEL, Mr. DAVIS of Illinois, Ms. LEE, Ms. KAPTUR, Mr. GREEN of Texas, Mr. FROST, Ms. WATSON, and Mr. McDERMOTT):

H.R. 4752. A bill to amend title 18, United States Code, to award credit toward the service of a sentence to prisoners who participate in designated educational, vocational, treatment, assigned work, or other developmental programs, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Washington:

H.R. 4753. A bill to improve certain compensation, health care, and education benefits for individuals who serve on active duty in a reserve component of the uniformed services, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Government Reform, and

Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. GRIJALVA, Mr. BELL, Ms. KAPTUR, Mr. WEXLER, Mr. STARK, Mr. SANDERS, Mr. KUCINICH, Mr. OWENS, Mr. RENZI, Mr. KIND, Mr. BLUMENAUER, Mr. McGOVERN, Mr. CONYERS, Mr. PAYNE, Mr. BRADY of Pennsylvania, Ms. LEE, Mrs. JONES of Ohio, Mr. TOWNS, Mr. HINCHEY, Mr. GUTIERREZ, Mr. LANTOS, Ms. CARSON of Indiana, Ms. WATERS, Mr. McDERMOTT, Ms. MCCARTHY of Missouri, Ms. BORDALLO, Ms. WOOLSEY, Mr. EMANUEL, Ms. MILLENDER-MCDONALD, Ms. ROYBAL-ALLARD, Mr. JACKSON of Illinois, and Mrs. CHRISTENSEN):

H. Con. Res. 468. Concurrent resolution expressing the sense of the Congress with respect to the world's freshwater resources; to the Committee on International Relations, and in addition to the Committees on Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FERGUSON:

H. Res. 698. A resolution recognizing the 54th anniversary of the start of the Korean War and honoring the members of the United States Armed Forces; to the Committee on Armed Services.

By Mr. CONYERS (for himself, Ms. PELOSI, Mr. HOYER, Mr. MENENDEZ, Mr. CLYBURN, Mr. DINGELL, Mr. OBEY, Mr. RANGEL, Mr. WAXMAN, Mr. SKELTON, Mr. LANTOS, and Mr. HINCHEY):

H. Res. 699. A resolution directing the Secretary of State to transmit to the House of Representatives documents in the possession of the Secretary of State relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay; to the Committee on International Relations.

By Mr. CONYERS (for himself, Ms. PELOSI, Mr. HOYER, Mr. MENENDEZ, Mr. CLYBURN, Mr. DINGELL, Mr. OBEY, Mr. RANGEL, Mr. WAXMAN, Mr. SKELTON, Mr. LANTOS, and Mr. HINCHEY):

H. Res. 700. A resolution directing the Attorney General to transmit to the House of Representatives documents in the possession of the Attorney General relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

381. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 5 memorializing the United States Congress to study and consider revising the income guidelines for senior citizens and reduce them by ten percent so that they may participate in or receive more assistance through the federal food stamp program; to the Committee on Agriculture.

382. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 68 memorializing the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of Engineers to promptly close the Mississippi River Gulf Outlet in the manner contemplated by the Coast 2050 Plan and memorializing the United States Congress and the Louisiana Congressional Delegation to authorize the full funding capa-

bility of the United States Army Corps of Engineers for the Inner Harbor Navigation Canal lock project; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 156: Mr. CLYBURN.
H.R. 369: Mr. LEWIS of Georgia.
H.R. 734: Mr. GREEN of Texas and Ms. WATSON.
H.R. 742: Mr. GERLACH.
H.R. 745: Mr. WU.
H.R. 779: Ms. LOFGREN.
H.R. 839: Mr. SMITH of Washington, Mr. FORBES, Mr. RYUN of Kansas, Mr. WU, Ms. VELAZQUEZ, Mr. UDALL of New Mexico, Mr. GREENWOOD, and Mr. MARKEY.
H.R. 846: Ms. LOFGREN.
H.R. 852: Mrs. CHRISTENSEN.
H.R. 918: Mr. KENNEDY of Minnesota, Mr. GRAVES, Mr. SCHROCK, Mr. CLAY, Mrs. JO ANN DAVIS of Virginia, and Ms. JACKSON-LEE of Texas.
H.R. 933: Mr. HALL.
H.R. 1002: Mr. BELL.
H.R. 1051: Mr. HALL.
H.R. 1083: Mr. FORBES, Mr. BEREUTER, and Mr. PLATTES.
H.R. 1205: Mrs. MCCARTHY of New York.
H.R. 1251: Mr. GRIJALVA.
H.R. 1428: Mr. DEAL of Georgia and Mr. FATTAH.
H.R. 1613: Mr. BECERRA, Mr. EMMANUEL, Mr. ANDREWS, Mr. LAMPSON, and Mr. SCOTT of Georgia.
H.R. 1924: Mr. LAMPSON.
H.R. 2217: Mr. VITTER.
H.R. 2394: Mr. ROTHMAN.
H.R. 2808: Mr. VITTER.
H.R. 2843: Mr. SHIMKUS and Mr. HONDA.
H.R. 2895: Mr. KOLBE, Mr. SOUDER, Mr. MILLER of Florida, and Mrs. MUSGRAVE.
H.R. 2900: Mr. GINGREY and Mr. BURNS.
H.R. 2929: Mr. ISRAEL.
H.R. 2934: Mr. FOSSELLA.
H.R. 2959: Mr. ROGERS of Kentucky and Mr. WU.
H.R. 3014: Mrs. TAUSCHER.
H.R. 3111: Mr. MOORE, Mr. LANGEVIN, Mr. THOMPSON of Mississippi, Mr. GORDON, Mr. RADANOVICH, Ms. PRYCE of Ohio, Mr. MENENDEZ, Mr. LATOURETTE, Mr. DINGELL, and Mr. MARKEY.
H.R. 3180: Mr. SANDLIN.
H.R. 3235: Mrs. NORTUP.
H.R. 3310: Mr. SAM JOHNSON of Texas and Mrs. NORTUP.
H.R. 3317: Mr. HOFFFEL.
H.R. 3482: Mr. VAN HOLLEN, Mr. McCOTTER, and Mr. WU.
H.R. 3539: Mr. ISRAEL.
H.R. 3545: Mr. NADLER.
H.R. 3707: Mr. DAVIS of Illinois, Ms. WATSON, and Ms. HERSETH.
H.R. 3729: Mr. RODRIGUEZ, Mr. VAN HOLLEN, Mr. RAHALL, Mr. HINCHEY, and Ms. KAPTUR.
H.R. 3730: Mr. McGOVERN.
H.R. 3755: Mr. HAYES and Mr. WYNN.
H.R. 3799: Mr. KING of Iowa.
H.R. 3805: Ms. LEE, Mr. LANTOS, and Mr. FILNER.
H.R. 3858: Mr. EHLERS.
H.R. 3865: Mr. LEWIS of Georgia.
H.R. 3933: Mr. SHAW, Mr. CAMP, and Mr. DREIER.
H.R. 3968: Mr. GUTIERREZ and Ms. MCCOLLUM.
H.R. 3989: Mr. STARK, Mr. GRIJALVA, Mrs. CHRISTENSEN, Mr. THOMPSON of Mississippi, Ms. WATSON, Ms. DELAURO, Ms. WOOLSEY, Ms. MCCOLLUM and Mr. LEWIS of Georgia.
H.R. 4022: Mr. WELDON of Pennsylvania.

H.R. 4032: Mr. FROST and Mr. RANGEL.
 H.R. 4036: Mr. THOMPSON of Mississippi.
 H.R. 4048: Mr. VITTER.
 H.R. 4064: Mr. CAMP, Mr. STENHOLM, and Mr. FRANKS of Arizona.
 H.R. 4093: Ms. LEE, Mr. CUMMINGS, Mr. McDERMOTT, and Mr. PAYNE.
 H.R. 4116: Mr. ROSS, Mr. OWENS, and Ms. DELAURO.
 H.R. 4126: Mr. GILLMOR, Mr. ROGERS of Michigan, Mr. CHABOT, Mr. TURNER of Ohio, Mrs. CUBIN, and Mr. VITTER.
 H.R. 4147: Mr. LEWIS of Georgia.
 H.R. 4161: Mr. OWENS and Mrs. EMERSON.
 H.R. 4177: Mr. DOYLE.
 H.R. 4187: Mr. ADERHOLT.
 H.R. 4192: Mr. SMITH of Washington, Mr. FATTAH, and Mr. BISHOP of Georgia.
 H.R. 4214: Mr. VITTER and Mr. SAXTON.
 H.R. 4225: Mr. HOYER.
 H.R. 4249: Mr. THOMPSON of California, Mr. FRANK of Massachusetts, Mr. WAXMAN, Ms. WATSON, Ms. ROYBAL-ALLARD, Mrs. DAVIS of California, Mrs. NAPOLITANO, Ms. LINDA T. SANCHEZ of California, Mr. BACA, and Ms. LOFGREN.
 H.R. 4304: Mr. PRICE of North Carolina.
 H.R. 4306: Ms. HART, Mr. FLAKE, and Mr. CARTER.
 H.R. 4346: Mr. PETERSON of Minnesota, Mrs. NAPOLITANO, Mr. MEEHAN, Mr. CASE, Mr. BISHOP of New York, and Mr. TIERNEY.
 H.R. 4358: Mr. CAMP.
 H.R. 4383: Mr. ISAKSON and Mr. COLLINS.
 H.R. 4387: Mr. STARK, Ms. LEE, and Mr. LEWIS of Georgia.
 H.R. 4391: Mr. HINOJOSA and Ms. ROYBAL-ALLARD.
 H.R. 4420: Mr. SMITH of Texas, Mr. MANZULLO, Mr. SULLIVAN, and Mr. HAYES.
 H.R. 4469: Mr. LEWIS of Georgia.
 H.R. 4476: Ms. DELAURO, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. BRADY of Pennsylvania, and Mr. TIERNEY.
 H.R. 4479: Mr. CUMMINGS and Mrs. CHRISTENSEN.
 H.R. 4491: Mr. BLUNT, Mr. BRADLEY of New Hampshire, Mr. BOUCHER, Mr. ISRAEL, Mrs. MCCARTHY of New York, Mr. KENNEDY of Rhode Island, and Ms. HERSETH.
 H.R. 4498: Ms. SLAUGHTER.
 H.R. 4528: Mr. FEENEY.
 H.R. 4533: Mr. KOLBE and Mr. CANNON.
 H.R. 4550: Mr. MEEK of Florida, Mr. OWENS, Mr. FROST, and Mr. MCINTYRE.
 H.R. 4561: Mr. KUCINICH.
 H.R. 4571: Mr. BRADY of Texas and Mr. PAUL.
 H.R. 4585: Mr. BISHOP of Georgia, Mr. KILDEE, Mr. GREEN of Texas, Mr. GEORGE MILLER of California, Mr. OWENS, and Mr. FROST.
 H.R. 4595: Mr. SCHIFF, Mr. RUPPERSBERGER, and Mr. GRIJALVA.
 H.R. 4605: Mrs. DAVIS of California, Ms. MCCOLLUM, Mr. CASE, Mr. VAN HOLLEN, Mr. SCOTT of Virginia, and Mr. MEEHAN.

H.R. 4620: Mr. FILNER, Mr. SIMPSON, Mr. OTTER, and Mr. NEUGEBAUER.
 H.R. 4626: Mr. JEFFERSON, Mr. McDERMOTT, Mr. RUPPERSBERGER, and Mr. BOUCHER.
 H.R. 4628: Mr. MCGOVERN and Mr. ALLEN.
 H.R. 4634: Ms. GINNY BROWN-WAITE of Florida, Mr. GARRETT of New Jersey, Mr. COLLINS, Mr. GREENWOOD, and Mr. VITTER.
 H.R. 4636: Ms. BORDALLO and Mr. BOSWELL.
 H.R. 4654: Mr. MANZULLO.
 H.R. 4655: Mr. RYAN of Ohio and Mr. FROST.
 H.R. 4662: Mr. LINDER.
 H.R. 4673: Mr. LEWIS of Georgia.
 H.R. 4682: Mr. OSE.
 H.R. 4685: Mr. DINGELL.
 H. Con. Res. 111: Mr. PASTOR, Mr. TOWNS, and Mr. WALSH.
 H. Con. Res. 126: Mr. NORWOOD.
 H. Con. Res. 218: Mr. RENZI and Mr. CAPUANO.
 H. Con. Res. 415: Mr. BERMAN, Mr. UDALL of Colorado, Mr. BEREUTER, Mr. MCCOTTER, Ms. MCCARTHY of Missouri, Mr. GALLEGLY, Ms. WATSON, Mr. FALEOMAVAEGA, Mr. SHERMAN, Mr. WEXLER, Ms. SLAUGHTER, Mr. BALLENGER, Mr. LEACH, Mr. ROHRABACHER, Mr. ROYCE, Mrs. JO ANN DAVIS of Virginia, Ms. KAPTUR, Mr. CARDIN, Mr. BURTON of Indiana, Mr. ADERHOLT, Mr. CHABOT, Mr. BELL, and Mr. KING of New York.
 H. Con. Res. 425: Mr. SAXTON and Ms. SLAUGHTER.
 H. Con. Res. 462: Mr. BILIRAKIS.
 H. Res. 129: Mr. STARK.
 H. Res. 556: Mr. WOLF and Mr. HINCHEY.
 H. Res. 562: Mr. RODRIGUEZ, Mrs. NAPOLITANO, Ms. SOLIS, Mr. ORTIZ, Mr. GUTIERREZ, Mr. BECERRA, Mr. GONZALEZ, Mr. CARDOZA, Ms. VELAZQUEZ, Mr. SERRANO, Mr. MENENDEZ, Mr. HINOJOSA, Mr. PASTOR, Mr. BACA, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. ACEVEDO-VILA, Ms. MILLENDER-MCDONALD, Ms. CARSON of Indiana, Mr. CLYBURN, Mr. TOWNS, Mr. MEEKS of New York, Ms. NORTON, Mr. WYNN, Mr. CONYERS, Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SANDLIN, Mr. TURNER of Texas, Mr. HALL, Mr. DOGGETT, Mr. EDWARDS, Mr. STENHOLM, Mr. FROST, Mr. BELL, Mr. GREEN of Texas, Mr. SESSIONS, Mr. BRADY of Texas, Mr. RUPPERSBERGER, Mr. BOSWELL, Mr. HUNTER, and Mr. WELDON of Pennsylvania.
 H. Res. 5596: Mr. WILSON of South Carolina, Mr. KUCINICH, and Ms. LOFGREN.
 H. Res. 647: Mr. CUNNINGHAM and Mr. JONES of North Carolina.
 H. Res. 654: Mr. LANTOS, Mr. PAYNE, Mr. RUSH, Mr. BALLENGER, Mr. WELLER, Mr. RANGEL, Ms. LEE, Mr. DELAHUNT, Mrs. JONES of Ohio, Mr. McDERMOTT, Mr. FARR, Mrs. CHRISTENSEN, Mr. CUMMINGS, Mr. FORD, and Mr. JACKSON of Illinois.
 H. Res. 687: Mr. KUCINICH.
 H. Res. 688: Mr. ABERCROMBIE, Mr. WALSH, Mr. OSE, Mr. MARIO DIAZ-BALART of Florida,

Mr. LINCOLN DIAZ-BALART of Florida, Mr. CARTER, Mr. CANTOR, Mr. COX, Mr. QUINN, Mr. MCCOTTER, Mr. SWEENEY, Mr. LATOURETTE, Mr. NEY, Mr. MCHUGH, Mr. SHUSTER, Mr. OTTER, Mr. SIMPSON, Mr. LATHAM, Mr. LEWIS of California, Mr. GREEN of Wisconsin, and Ms. HARRIS.
 H. Res. 689: Mr. MEEHAN.
 H. Res. 695: Mr. STARK.

DISCHARGE PETITION—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 6, by Mr. TURNER of Texas on House Resolution 523: Chaka Fattah, John D. Dingell, and Adam Smith.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4614

OFFERED BY: Ms. ESHOO

AMENDMENT No. 6: At the end of the bill (before the short title), insert the following:
 SEC. _____. None of the funds made available in this Act may be used to deny requests for the public release of documents or evidence obtained through or in the Western Energy Markets: Enron Investigation (Docket No. PA02-2), the California Refund case (Docket No. EL00-95), the Anomalous Bidding Investigation (Docket No. IN03-10), or the Physical Withholding Investigation.

H.R. 4614

OFFERED BY: Mr. INSLEE

AMENDMENT No. 7: At the end of the bill, before the short title, insert the following:
 SEC. _____. None of the funds made available in this Act may be used by the Department of Energy to make "waste incidental to reprocessing" determinations in order to reclassify high-level radioactive waste. For purposes of this section, the term "high-level radioactive waste" has the meaning given that term in the Nuclear Waste Policy Act of 1982.

H.R. 4614

OFFERED BY: Mr. MEEHAN

AMENDMENT No. 8: Page 23, line 5, after the dollar amount, insert "(reduced By \$30,000,000)".

Page 23, line 16, after the dollar amount, insert "(increased by \$30,000,000)".



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WASHINGTON, FRIDAY, JUNE 25, 2004

No. 90

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable ROBERT F. BENNETT, a Senator from the State of Utah.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray. Eternal God, Who stretches out the heavens and rules over land and sea, You keep Your promises to us. You restore power and glory to those who return to You. Our enemies stumble at the sound of Your footsteps. You give strength to the faint and endurance to the weary. Arise, O God, and show Yourself strong in these grand and awful times.

Reveal Yourself to our Senators that they may find hope in Your might. Remind them that the battles belong to You and not to them. Teach each of us that humanity simply cooperates with divinity in accomplishing Your purposes.

Be exalted, O Lord, among the nations until Your kingdom shall reign wherever the sun in its successive journey returns. May Your kingdom never end.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT F. BENNETT led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 25, 2004.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT F. BENNETT, a Senator from the State of Utah, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. BENNETT thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today is the final day prior to the July 4 recess. I expect we will be in for a short period of morning business to allow Members to make statements. However, as we announced yesterday, there will be no rollcall votes today.

In addition, today is the final day to submit statements for the RECORD regarding the passing of our former President, Ronald Reagan. Again, these statements will be included in a book containing all of the tributes and services of 2 weeks ago.

This past week has been a challenging week, but as we discussed yesterday in the Senate, it was a satisfying week in that we have been able to complete two very important pieces of legislation, the Defense authorization and the Defense appropriations bills.

Today we still expect to clear for confirmation many of the pending ambassadorial nominations. I will be consulting with the Democratic leadership again this morning on these important diplomatic posts. We hope to have that confirmed prior to our adjournment. I will have more to say as to the sched-

ule when we return after the break a little bit later this morning prior to closing.

RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

RETURN SCHEDULE

Mr. REID. The question was asked six or seven times last night as we were leaving. Tuesday, when we come back, the leader has indicated there will be a vote sometime after 2:30. Those from the West are wondering if that might be closer to 5 o'clock. Has the leader made a decision on that?

Mr. FRIST. Mr. President, we will have a decision made before we close down this morning. We are right now looking at the schedule. That day we will likely be scheduling a judge, which will require some debate prior to that. For right now, what we have said is that vote will not occur before 2:30, Tuesday, July 6. We will modify that based on discussions.

Mr. REID. On our side, the Democratic leader has indicated he will hold the regular caucus on Tuesday. Do you plan to do the same thing?

Mr. FRIST. Mr. President, that is correct. We have announced to our caucus, as well, we will hold our policy lunches, our caucus lunches, on Tuesday. Tuesday will be a full day. We will be coming in Tuesday morning, in all likelihood, at 9:30 Tuesday morning. It will be a full and hopefully very productive day.

That week we are going to class action which we agreed to. Hopefully we will have one judge and go straight to class action. We will spend next week on class action. With so few legislative days when we come back after the recess—we have a total of 3 weeks, but we are not going to have that first

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Monday—we have a lot to do in that 2¾ week session. Therefore, we will have to be pushing hard on Tuesday, Wednesday, Thursday, and Friday of that week.

DARFUR

Mr. FRIST. Mr. President, I mentioned last night the importance of this African Growth and Opportunity Act which we passed last night. In my comments, I also mentioned a restatement of my earlier comments in the day, a restatement of what has been said again and again on the floor. That is that we as a country and we as a world community need to focus attention on the Darfur region of Africa, of the Sudan in Africa.

Africa is a huge continent and a lot of people do not realize how big Sudan is. It is huge. When we say Darfur region, the Darfur region is the western part of the Sudan. If you look at the continent, it is almost in the middle of the continent of Africa. The Darfur region is huge. It is about the size of Texas.

Over the last year and a half, because it started as a civil war, militias fighting, government supporting the militias there, we have 2 million people in this region of Darfur, the size of Texas, who have been affected, 1.2 million people displaced, driven away from their homes, driven away from the land they might farm or, if they are herders, that they might herd animals on, families destroyed. A lot of people are fleeing west to, Chad, 30 or 40 kilometers away, to refugee camps. There are about a million displaced inside the Darfur region but away from their homes, away, many times, from their families and any chance of livelihood.

The rainy season has begun there. It began a few weeks ago and will continue. As the rainy season continues, conditions get worse and worse. Roads at that point cannot be traversed so we cannot get enough food going in. There is very little in the way of health supplies going in. We need to bring attention to that part of the world. The world needs to shine a spotlight on it.

I was delighted Secretary Powell announced yesterday he will be going to that part of the world. I understand Secretary General Kofi Annan also will be going to that part of the world, to bring increased attention on behalf of the Congress, with 200,000 people dead from what is happening there. They are dying.

Statistically, they are dying from disease: respiratory disease, water-borne disease, diarrheal disease, malaria, and a little bit of measles. Now, with the fighting, it may well be that the No. 1 cause of death there is the actual fighting.

Right now we are not able to get in sufficient aid. Aid and support is being restricted by the government in Khartoum. There is plenty of aid. The world community is ready to go in there, but right now there is a restriction by the government.

I am going to keep mentioning this issue on the floor at every opportunity because we have a chance to reverse this travesty. We are going to do that. Every opportunity we have as public officials, in interacting with the international community, we need to continue to put pressure on the government of Khartoum to recognize the travesty, the devastation that is going on in that country.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Democratic leader is recognized.

ARE AMERICANS BETTER OFF WITH REGARD TO HEALTH CARE?

Mr. DASCHLE. Mr. President, on a recent visit to South Dakota, I met a couple that impressed me a great deal. Their names are Lowell and Pauline Larson.

Throughout their life together, Lowell and Pauline farmed 160 acres just outside of Chester, SD. After a lifetime of hard work, they were looking forward to a well-earned retirement together.

But 2 years ago, Pauline suffered a stroke. Before the Larsons knew it, they had incurred \$40,000 in medical bills. Even though they had insurance, it only covered \$75 a day of Pauline's hospital costs. So Lowell did the only thing he could. He sold all his farm equipment and his cattle to pay the bills.

All they are left with is the deed to their farm, and if Pauline suffers another stroke, or if the MS she has been battling for the past 15 years gets worse, the Larsons know they may have to sell their farm.

I wish I could say that the Larsons' story came as a surprise to me, but it did not.

For the past 4 years, stories like the Larsons' have become commonplace. I've heard from businesses that have been forced to cut back on benefits or lay off workers in order to pay for escalating insurance premiums.

I have heard from retirees who have seen their life savings evaporate due to the skyrocketing cost of prescription drugs.

I have heard from families forced to sell the businesses or farms that have sustained their families for generations, because a child got sick and insurance just wouldn't pay for it.

I have heard from veterans who have been forced off the rolls of the VA and have nowhere else to turn for care.

I have heard from Native Americans forced to undergo a literal "life or limb" test to receive care at Indian Health Service facilities.

I have heard from National Guard members who face losing their health coverage once their Iraq deployment ends. And I have heard from citizens from all walks of life who can't afford the high cost of insurance, and who live in constant fear that an illness or an injury could throw them and their families into bankruptcy.

It's no mystery what is happening. Americans are being caught in the undertow of historic increases in the cost of health care.

Millions have lost their insurance. Tens of millions more know that they are just one layoff, or one illness, away from a life of poverty and poor health.

In this election year, as with every election year, Americans are asking themselves, "Am I better off than I was 4 years ago?"

With the cost of doctors' visits, prescription drugs, and monthly insurance premiums moving farther out of reach, the answer for most of us is clearly no.

America is enduring a health care crisis that is deepening with each passing month. And after four years of inattention from the White House, it is clear that when it comes to health care, as a nation, we are significantly worse off than we were just four years ago.

The scope of this crisis is staggering.

Since 2001, the amount workers are paying for their family coverage has increased by 50 percent, and the average premium for family health care is now above \$9,000 per year. Prescription drug costs rose at four times the rate of inflation last year alone.

Both businesses and workers are feeling the squeeze. And, as a result, we have seen unprecedented increases in the number of uninsured.

Each month since January 2001, an average of 100,000 Americans have lost their health insurance. Today, 44 million Americans have no health insurance whatsoever. The problem is even worse among minority communities. One in six Asian and Pacific Americans lacks insurance. For African Americans, it is one in five. For Latino Americans, it is one in three.

As startling as these numbers are, they do not include the tens of millions more who shuttle on and off the insurance rolls depending on unpredictable work schedules.

Nearly 82 million people lacked insurance at some point in the last 2 years.

The impact of losing health insurance can be catastrophic—for uninsured individuals, for families, and for our Nation as a whole. According to the National Institute of Medicine, children and adults without health insurance are less likely to receive preventive care and early diagnosis of illnesses. They live sicker and die younger than those with insurance.

Eighteen thousand Americans die prematurely each year because they lack health insurance.

Families suffer emotionally and financially when even one member is uninsured. Communities suffer as the cost

of uncompensated care is shifted onto doctors, hospitals, and taxpayers.

And our Nation pays a steep economic cost. The Institute of Medicine estimates that lack of health insurance costs America between \$65 billion and \$130 billion a year in lost productivity and other costs.

Making the high cost and growing inequities even more troubling is that on the whole, we seem to be getting less for our health care dollar than we should be.

The World Health Organization recently reported that Americans pay twice as much per capita for health as the average industrialized nation. We pay a third more than the next-highest country. But despite the high costs, we are not getting any bang for our buck.

Among industrialized nations, Americans' life expectancy is only 24th, and we have one of the highest infant mortality rates in the world.

We may pay twice as much, but we don't even get in the top 20 when it comes to mortality or life expectancy.

The results of the past few years beg the question, "How can we be paying the highest costs and getting so meager a return." In short, where is all the money going? Who is better off today?

A recent article in the *Economist* offered one answer.

Noting that profit margins for health insurers are as high as they have ever been, the article notes:

Since [2000], the prices of many [health insurers' stocks] have quadrupled. And if shareholders have done well, executives have been more than amply rewarded. . . .

One CEO earned \$30 million in pay in 2003 and exercised \$84 million in stock options from earlier years. This left him with options worth \$840 million at the company's current share price. His second-in-command earned \$13.7 million in compensation and holds options worth \$350 million. Another CEO of a leading insurer earned \$16 million; yet another, \$51 million; and still another, \$27 million.

While insurers and their executives are reaping billions, and Americans are fearing that their benefits will be the next to be sacrificed for the sake of even higher profits, the administration has done nothing to rein in the cost of health care. In fact, in the recently enacted Medicare bill, the administration included tens of billions of dollars in giveaways to HMOs, not to mention the windfall created for prescription drug companies.

The proposals the administration has offered would extend coverage only to a small fraction of Americans who lack insurance today. Often, their solutions extend meager coverage to a small number of vulnerable Americans at the expense of a larger group.

For instance, according to the Congressional Budget Office, the President's plan to create "association health plans" would decrease the number of uninsured Americans by only about 600,000 people. Six hundred thousand out of nearly 44 million. But it

would increase premiums for 80 percent of employees of small businesses. The administration's band-aid approach to our health care crisis won't work. It is the wrong treatment, and its cost would preclude us from affording the right one.

The results of the administration's so-called solutions can be seen each month as more Americans lose their insurance or feel themselves pushed closer to the point where the cost of coverage is too large a burden to bear.

As a nation, we are not better off than we were four years ago. We are losing ground. We can do better. But to do so will demand a change in direction. We need to reject the notion that we are helpless to control health care costs.

We need to reject the notion that with a little tinkering around the edges, our health care system can offer the kind of care every American deserves. Most of all, we need to reject the notion that the primary purpose of our health care system is to provide profits for health care companies and the drug industry.

That is wrong. That is the thinking that brought us to the point where families such as the Larsons are forced to turn over the proceeds of their life's work, just to pay the bill for treating a single illness.

There are better answers, and working together we can find them. We can find ways to ensure that every American is able to see a doctor when he or she is sick. We do not have to be the only major industrialized nation in the world that fails to guarantee health care for all its citizens.

We can do better, and none of us should rest until we do.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Kansas is recognized.

THE REAGAN CULTURAL DOCTRINE

Mr. BROWNBACK. Mr. President, I rise today to speak on a topic called the Reagan Cultural Doctrine.

Presidents are noted for foreign policy doctrines which they articulate and put forward. President Reagan had his

own noteworthy and very successful foreign policy doctrine, the Reagan Doctrine, involving the confrontation with communism that led to its ultimate demise. President Reagan is to be credited and given great praise for it.

But President Reagan had another doctrine I want to speak about today, the Reagan Cultural Doctrine, which I think it would be fitting for us to acknowledge and press forward to its successful completion.

President Reagan respected each and every human life at whatever stage of that life and wherever it was located. This was a unifying theme that lay behind some of his most significant policy choices and movements. It led him to insist that the Soviet empire was evil and to demand of the new Soviet leaders that they "tear down this wall."

It was what led him to note that "until and unless someone can establish the unborn child is not a living human being, then that child is already protected by the Constitution which guarantees life, liberty, and the pursuit of happiness to all of us."

That is a direct Reagan quote.

Toward the end of his Presidency on January 14, 1988, President Reagan took the opportunity to clearly articulate the Reagan cultural doctrine, a very simple yet profound Presidential Declaration. President Reagan proclaimed and declared "the inalienable personhood of every American from the moment of conception until natural death."

I ask unanimous consent that a copy of President Reagan's January 14, 1988 Presidential declaration on the inalienable personhood of the unborn be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PROCLAMATION 5761 OF JANUARY 14, 1988
NATIONAL SANCTITY OF HUMAN LIFE DAY, 1988
(By the President of the United States of America)

America has given a great gift to the world, a gift that drew upon the accumulated wisdom derived from centuries of experiments in self-government, a gift that has irrevocably changed humanity's future. Our gift is twofold: the declaration, as a cardinal principle of all just law, of the God-given, unalienable rights possessed by every human being; and the example of our determination to secure those rights and to defend them against every challenge through the generations. Our declaration and defense of our rights have made us and kept us free and have sent a tide of hope and inspiration around the globe.

One of those unalienable rights, as the Declaration of Independence affirms so eloquently, is the right to life. In the 15 years since the Supreme Court's decision in *Roe v. Wade*, however, America's unborn have been denied their right to life. Among the tragic and unspeakable results in the past decade and a half have been the loss of life of 22 million infants before birth; the pressure and anguish of countless women and girls who are driven to abortion; and a cheapening of our respect for the human person and the sanctity of human life.

We are told that we may not interfere with abortion. We are told that we may not "impose our morality" on those who wish to

allow or participate in the taking of the life of infants before birth; yet no one calls it "imposing morality" to prohibit the taking of life after people are born. We are told as well that there exists a "right" to end the lives of unborn children; yet no one can explain how such a right can exist in stark contradiction of each person's fundamental right to life.

That right to life belongs equally to babies in the womb, babies born handicapped, and the elderly or infirm. That we have killed the unborn for 15 years does not nullify this right, nor could any number of killings ever do so. The unalienable right to life is found not only in the Declaration of Independence but also in the Constitution that every President is sworn to preserve, protect, and defend. Both the Fifth and Fourteenth Amendments guarantee that no person shall be deprived of life without due process of law.

All medical and scientific evidence increasingly affirms that children before birth share all the basic attributes of human personality—that they in fact are persons. Modern medicine treats unborn children as patients. Yet, as the Supreme Court itself has noted, the decision in *Roe v. Wade* rested upon an earlier state of medical technology. The law of the land in 1988 should recognize all of the medical evidence.

Our Nation cannot continue down the path of abortion, so radically at odds with our history, our heritage, and our concepts of justice. This sacred legacy, and the well-being and the future of our country, demand that protection of the innocents must be guaranteed and that the personhood of the unborn be declared and defended throughout the land. In legislation introduced at my request in the First Session of the 100th Congress, I have asked the Legislative branch to declare the "humanity of the unborn child and the compelling interest of the several states to protect the life of each person before birth." This duty to declare on so fundamental a matter falls to the Executive as well. By this Proclamation I hereby do so.

Now, therefore, I Ronald Reagan, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim and declare the unalienable personhood of every American, from the moment of conception until natural death, and I do proclaim, ordain, and declare that I will take care that the Constitution and laws of the United States are faithfully executed for the protection of America's unborn children. Upon this act, sincerely believed to be an act of justice, warranted by the Constitution, I invoke the considerate judgment of mankind and the gracious favor of Almighty God. I also proclaim Sunday, January 17, 1988, as National Sanctity of Human Life Day. I call upon the citizens of this blessed land to gather on that day in their homes and places of worship to give thanks for the gift of life they enjoy and to reaffirm their commitment to the dignity of every human being and the sanctity of every human life.

In witness whereof, I have hereunto set my hand this 14th day of January, in the year of our Lord nineteen hundred and eighty-eight, and of the Independence of the United States of America the two hundred and twelfth.

RONALD REAGAN.

Mr. BROWNBACK. Mr. President, our Nation cannot be the "shining city upon the hill" without the respect and recognition of the inalienable personhood of every American from the moment of conception until natural death. Reagan realized and declared this. The Reagan Cultural Doctrine is

synonymous with the culture of life. President Reagan's commitment to the culture of life was evident from the first days of his Presidency.

In recent days, some have implicitly questioned President Reagan's commitment to the inalienable personhood of every American by suggesting that destructive embryonic stem cell research should be conducted in President Reagan's name. And here we are not talking about adult stem cell research or umbilical cord blood which are supported by virtually everybody and are producing true results—here we are talking strictly about destructive embryonic stem cell research which results in the death of a young human embryo after its conception.

To suggest that this should be conducted in President Reagan's name is a completely contrary view of the Reagan Cultural Doctrine. It is a misappropriation of President Reagan's legacy, and it is damaging to the culture of life that President Reagan was so steadfast in defending. It is an assault on the Reagan Cultural Doctrine.

As former Reagan National Security Adviser and Interior Secretary William Clark noted in the *New York Times* recently,

Ronald Reagan's record reveals that no issue was of greater importance to him than the dignity and sanctity of all human life. "My administration is dedicated to the preservation of America as a free land," he said in 1983. "And there is no cause more important for preserving that freedom than affirming the transcendent right to life of all human beings, the right without which no other rights have any meaning." One of the things he regretted most at the completion of his Presidency in 1989, he told [William Clark], was that politics and circumstances had prevented him from making more progress in restoring protection for unborn human life.

Continuing in his *New York Times* piece, Clark then addressed Reagan's early efforts to protect innocent human life through halting Federal efforts on destructive research involving human embryos. Here we find that President Reagan himself pushed to stop destructive human embryonic research.

Clark says:

Reagan consistently opposed federal support for the destruction of innocent human life. After the charter expired for the Department of Health, Education and Welfare's ethical advisory board—which in the 1970s supported destructive research on human embryos—he began a de facto ban on federal financing of embryo research that he held to throughout his presidency.

I ask unanimous consent a copy of William Clark's June 11, 2004, *New York Times* op-ed piece titled "For Reagan, All Life Was Sacred," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *New York Times*, June 11, 2004]

FOR REAGAN, ALL LIFE WAS SACRED

(By William P. Clark)

PASO ROBLES, CALIF.—Ronald Reagan had not passed from this life for 48 hours before

proponents of human embryonic stem-cell research began to suggest that such ethically questionable scientific work should be promoted under his name. But this cannot honestly be done without ignoring President Reagan's own words and actions.

Ronald Reagan's record reveals that no issue was of greater importance to him than the dignity and sanctity of all human life. "My administration is dedicated to the preservation of America as a free land," he said in 1983. "And there is no cause more important for preserving that freedom than affirming the transcendent right to life of all human beings, the right without which no other rights have any meaning." One of the things he regretted most at the completion of his presidency in 1989, he told me, was that politics and circumstances had prevented him from making more progress in restoring protection for unborn human life.

Still, he did what he could. To criticize the *Roe v. Wade* decision on its 10th anniversary in 1983, he published his famous essay "Abortion and the Conscience of the Nation" in *The Human Life Review*. "We cannot diminish the value of one category of human life—the unborn—without diminishing the value of all human life," he wrote. He went on to emphasize "the truth of human dignity under God" and "respect for the sacred value of human life." Because modern science has revealed the wonder of human development, and modern medicine treats "the developing human as a patient," he declared, "the real question today is not when human life begins, but, What is the value of human life?"

In that essay, he expressly encouraged continued support for the "Sanctity of life ethic" and rejection of the "quality of life ethic." Writing about the value of all human life, he quoted the British writer Malcolm Muggeridge's statement that "however low it flickers so fiercely burns, it is still a divine flame which no man dare presume to put out, be his motives ever so humane and enlightened." And in the *Roe v. Wade* decision, he insisted, the Supreme Court "did not explicitly reject the traditional American idea of intrinsic worth and value in all human life; it simply dodged the issue."

Likewise, in his famous "Evil Empire" speech of March 1983—which most recall as solely an indictment of the Soviet Union—Ronald Reagan spoke strongly against the denigration of innocent human life. "Abortion on demand now takes the lives of up to one and half million unborn children a year," he said. "Unless and until it can be proven that the unborn child is not a living entity, then its right to life, liberty, and the pursuit of happiness must be protected."

His actions were as clear as his words. He supported the Human Life Amendment, which would have inscribed in the Constitution "the paramount right to life is vested in each human being from the moment of fertilization without regard to age, health or condition of dependency." And he favored bills in Congress that would have given every human being—at all stages of development—protection as a person under the 14th Amendment.

Aside from the moral principle, President Reagan would also have questioned picking the people's pocket to support commercial research. He understood the significance of putting the imprimatur of the nation, through public financing, behind questionable research.

He consistently opposed federal support for the destruction of innocent human life. After the charter expired for the Department of Health, Education and Welfare's ethical advisory board—which in the 1970's supported destructive research on human embryos—he began a de facto ban on federal financing of embryo research that he held to throughout his presidency.

As for today's debate, as a defender of free people and free markets, he would have asked the marketplace question: if human embryonic research is so clearly promising as the researchers assert, why aren't private investors putting money into it, as they are in adult stem cell research?

Mr. Reagan's suffering under Alzheimer's disease was tragic, and we should do everything we can that is ethically proper to help others afflicted with it. But I have no doubt that he would have urged our nation to look to adult stem cell research—which has yielded many clinical successes—and away from the destruction of developing human lives, which has yielded none. Those who would trade on Ronald Reagan's legacy should first consider his own words.

Mr. BROWNBACK. Mr. President, I mean no disrespect to anyone in addressing this important issue, but we are talking about innocent young human life. Someone must speak for those who have no voice and for the great pro-life legacy of President Reagan now that he is no longer with us.

I would like to share the stories and memories of some of the Reagan revolutionaries who were privileged to interact with the President on this particular vital issue.

Just 2 days after his January 20, 1981, inauguration as President of the United States, Ronald Reagan made his personal commitment to pro-life issues clear. At a time when hundreds of people were waiting to meet the newly elected President in order to seek positions in his administration, the President made time for an unrelated meeting with pro-life leaders in Congress and the nonprofit sector. Senators Richard Schweiker and Jesse Helms were present at that meeting, as were Representatives HENRY HYDE and Bob Dornan.

This meeting, which was to become an annual policy meeting on the anniversary of Roe v. Wade, was tremendously significant. By 1980, the pro-life movement had been largely marginalized by previous administrations. But President Reagan's willingness to hold these meetings and to annually address the March for Life meeting by phone took the pro-life movement into the mainstream.

One participant in that first meeting noted that the President's personal conviction on the right to life for unborn children was obvious. The participant said:

President Reagan's deep commitment to pro-life issues was very evident when he spoke of viewing an inutero sonogram while he was Governor of California. It was moving to watch him speak. Clearly, he understood the life issue; it could be seen in his body language.

The quote continues:

There we were, two days after his inauguration. He didn't have to meet with us or do anything. Yet, he turned our 15 minute meeting into a 45 minute meeting.

President Reagan truly had great zeal for pro-life causes. I share in the sentiment made by long-time Reagan aide Michael Deaver, who made this observation in his political memoirs.

Deaver noted the President's zeal in the section of his book dedicated to the March 30, 1981, assassination attempt on President Reagan. This was in reference to a meeting soon after with the late Cardinal Terrence Cooke of New York. Deaver overheard the President's final words of this meeting with Cardinal Cooke. Reagan said this:

I have decided that whatever time I may have left, is left for Him.

"Him," referring to God. Anyone who knew Reagan has to acknowledge that this statement was from the heart. It summed up his subsequent involvement in the great moral issues of the day.

Deaver concludes this section with his own thoughts after the death of Cardinal Cooke:

When Reagan was told of his friend's death, the president's words from their earlier meeting echoed in my mind. "Whatever time I may have left is left for Him." I would never forget his promise, and I would see him deliver on it time and time again.

President Reagan's interest in life issues was not just convenient political positioning either. He actively wrestled with this issue. I will read a passage from "What I Saw at the Revolution," political memoir of Reagan's speech writer Peggy Noonan.

Look at him on abortion. It took courage to oppose an option that at least 20 million Americans had exercised since Roe v. Wade, when the issue isn't a coalition builder but an opposition creator, when the polls are against you and the boomers want it and when you've already been accused of being unsympathetic to women and your own pollster is telling you your stand contributes to a gender gap. . . .

Let me continue now further with the book:

But he puzzled it out on his own, not like a visionary or an intellectual but like a regular person. He read and thought and listened to people who cared, and he made up his own mind. And suddenly when they said, "The argument is over when life begins," he said, "Well look, if that's the argument: If there's a bag in the gutter and you don't know if what's in it is alive, you don't kick it, do you? Well, no, you don't."

He held to his stand against his own political interests (where were the anti-abortion people going to go?) and against the wishes of his family and friends. Nancy wasn't anti-abortion, the kids weren't anti-abortion, and people like the Bloomingtons and his friends in Beverly Hills—they did not get where they are through an overfastidious concern for the helpless. He was the only one of his group who cared.

A lengthy quote from Peggy Noonan.

President Reagan did care deeply about the sanctity of life, and we know that he was actively engaged on this issue. One example of this was President Reagan's interest in the pro-life journal, the Human Life Review. We know the President read this journal because he actually wrote a letter responding to the heroic mother of a child with spina bifida who had written a letter that was published in the journal in the summer of 1982 edition.

In his letter to the mother the President wrote:

Your recent letter published in the summer issue of the Human Life Review came to my attention. I want you to know that I was deeply impressed by what you wrote and by the obvious commitment you and your family have made to respond to the affliction of a handicapped child with affection and courage.

I strongly believe that protection of these children is a natural and fundamental part of the duty government has to protect the innocent and to guarantee that the civil rights of all are respected. This duty is a special order when the rights involved are the right to life itself. . . .

After learning of President Reagan's interest in their pro-life publication through this letter, Jim McFadden of the Human Life Review invited the President to write an essay for publication in the journal. The President obliged, and thus his famous "Abortion and the Conscience of the Nation" was published in 1983. In this essay, President Reagan made some profound statements laying the groundwork for the Reagan cultural doctrine.

A copy of this essay may be found on the Human Life Review website at http://www.humanlifereview.com/reagan/reagan_conscience.html.

Mr. BROWNBACK. In the essay, President Reagan lays out the great cultural issues surrounding abortion. In one place, he notes:

We cannot diminish the value of one category of human life—the unborn—without diminishing the value of all human life.

Embryo, fetus, infant, child, and adult are categories of human development, and they are all human life. Whether one is physically healthy or ill, emotionally healthy or ill, these are categories of human beings, and thus deserve protection. We should heed the words of President Reagan. All human life, no matter how it is categorized, should be esteemed and valued.

In his essay, President Reagan correctly argues that:

[A]nyone who doesn't feel sure whether we are talking about a second human life should clearly give life the benefit of the doubt. If you don't know whether a body is alive or dead, you would never bury it. I think this consideration itself should be enough for all of us to insist on protecting the unborn.

This, again, a direct quote from President Reagan on the Reagan Cultural Doctrine.

Then the President turns to discuss the real issue of the day. The President commented:

The real question today is not when human life begins, but, What is the value of human life?

That question remains today.

When President Reagan said, and those of us in the pro-life movement say, that human life begins at conception, we are speaking about biology, not ideology or belief.

I am concerned that there may be some confusion on this point today, perhaps as a result of misinformation being disseminated by those who favor destructive research on the youngest forms of human life.

A human embryo, an unborn child, or human fetus is, biologically speaking,

a young human life. To assert that it is not a life or that it is so-called potential life is not a scientific statement. To assert a human embryo is not a human life is a belief not supported by the facts, much in the same way that to say the Sun revolves around the Earth is a belief not supported by the facts.

Science is about the pursuit of truth in the service of mankind. Science tells us that the unborn child, from the moment of conception, is a human life.

That is why, in the debate over embryonic stem cell research, I continue to assert we must address the fundamental question of law: Is the young human embryo a person or a piece of property?

Our country has gotten this issue wrong before—notably, the 1857 Dred Scott case—but our system gives us an opportunity to rectify past wrongs. I suggest we base our laws on what science tells us, which is that the young human embryo is indeed a human life.

Anybody watching now was, at one point in time, a young human embryo. And if you were destroyed then, your life would not exist today. Those are the facts.

Unfortunately, not everyone in this debate is looking at biology. But once both sides acknowledge the scientific truth, that the young human embryo or unborn child is a human life, then we can start to address what Reagan posited as the real question: "What is the value of a human life?"

In "Abortion and the Conscience of a Nation," President Reagan lamented the case of Baby Doe, who was legally starved to death because he was mentally handicapped. In more recent times, we have the case of Terri Schiavo, who was saved from starvation. In that case, the American public, along with Florida Governor Jeb Bush, let their voices be heard that life is worth living. Those voices proclaimed that life—even if not the "quality of life" many would deem acceptable—still has incredible value. The value of every human life must be defended without exception.

To deny that a human embryo is a human life is to disregard what science tells us. It is to live willfully in ignorance.

In addressing his critics through the essay, President Reagan wrote:

Obviously, some uninfluential people want to deny that every human life has intrinsic, sacred worth. They insist that a member of the human race must have certain qualities before they accord him or her status as a "human being." . . . Every legislator, every doctor, and every citizen needs to recognize that the real issue is whether to affirm and protect the sanctity of all human life, or to embrace a social ethic where some human lives are valued and others are not. As a nation, we must choose between the sanctity of life ethic and the "quality of life" ethic.

President Reagan concluded his essay with these words:

My administration is dedicated to the preservation of America as a free land, and there

is no cause more important for preserving that freedom than affirming the transcendent right to life of all human beings, the right without which no other rights have any meaning.

"Abortion and the Conscience of a Nation" was written by a man who was fully committed to the unalienable right to life from the moment of conception. And that man was President Reagan.

However, President Reagan did not stop at "Abortion and the Conscience of a Nation." He had to withstand much political pressure to maintain his stance in defense of life.

A Reagan aide recalled the President's 1987 meeting with leaders of the pro-life movement. He wrote:

In January 1987 the subject of parental consent for abortion came up as the groups met with the President in the Roosevelt Room. As you know, Ronald Reagan was a prodigious letter writer during all phases of his life and career, but he was also a prodigious letter reader and keeper. If a letter's contents appealed to him or struck a chord, he would keep it, use it in speeches, quote it to the media, etc. The letter he received from the young boy asking him if he was going to do his speech to the Congress "in his pajamas" after his recovery from the assassination attempt was one such example. Ronald Reagan loved to read samples of mail from the American people and called Anne Higgins to ask for it on Fridays if for some reason it was later than usual in getting to him. Meeting with the pro-life leaders that January day, he pulled from his left-hand jacket side pocket and read a letter he said he had held onto for many years. It was from a California mother who had written to him about the parental consent issue when he was governor in the early 1970's.

Ronald Reagan read the letter to the entire group. The mother described her own family and the daughters she had raised, the sweat she had expended, the clothes she had washed and folded, the hurt knees she had bandaged, etc. She wrote that now the opponents of parental consent for abortion were telling her that they had a right to perform surgery on those daughters without so much as letting her know. "Who do they think they are?" went her refrain.

The letter went on in this vein with other examples of the worries and stresses of loving parenthood, and the abrupt dismissal of that sacrifice by the [abortion providers] who think they know better when a child gets in trouble. Ronald Reagan read the letter through, folded it and put it back in his pocket, and said softly, "Who do they think they are?" You could have heard a pin drop.

The record could hardly be clearer. President Ronald Reagan vigorously worked to promote a culture of life, which included consistent opposition to destructive research on human embryos. It was and it remains the Reagan Cultural Doctrine. Witness after witness affirms this. It is important that the great moral stance President Reagan took be reaffirmed and boldly declared.

When we think of the great Presidential doctrines of the past, we think immediately of the foreign policy doctrines of Presidents Monroe and Truman—and, yes, Ronald Reagan. These doctrines have been and continue to be significant in defining American interests.

On January 14, 1988, President Reagan declared a new doctrine: the Reagan Cultural Doctrine. This doctrine is not about foreign policy; it is about something that especially defines us as a people. This doctrine speaks volumes, in the sense that it makes clear who we are and what we stand for as a people. It reaffirms the Declaration of Independence and the founding values that have been the source of America's greatness.

It is my hope President Bush will reissue the Reagan Cultural Doctrine on "the unalienable personhood of every American, from the moment of conception until natural death," and that the Congress will reaffirm the Declaration of Independence and the Constitution by passing laws that will guarantee the right to life to every American conceived within the boundaries of this life-loving and freedom-loving land. That is the Reagan Cultural Doctrine.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. DOLE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE ACCOMPLISHMENTS

Mr. FRIST. Madam President, the Senate has been busy over the past 4 weeks. I thought I would take a few moments to look back and then look ahead a bit.

The Memorial Day recess seems like a long time ago because so much has been shaped by us—referring to the progress we have made in the last several days in particular—and shaped by the other external events, a steady stream of national and world-changing events.

To begin, I will start with two nights ago when, on Wednesday night, we passed the Defense Authorization Act for 2005; and late last night, not that long ago, we passed the Defense Appropriations Act of 2005. It is appropriate to look at those two bills together because both focus on supporting our troops, supporting our U.S. Government in its war on terror.

We had 4 weeks of impassioned debate on the floor of the Senate, and at the end of those 4 weeks we completed two very important pieces of legislation which very clearly augment the support for our troops that are stationed throughout the world and also reflect our profound commitment to the defense of the United States of America, the defense of the citizens, the people, and the principles we stand for in this great country.

But we are at war. We see it daily; terrorists strike daily. It is these two pieces of legislation that focus around support in this war on terror and in the defense of this country that we see our

efforts really come alive. They provide our troops with the resources they need to succeed in this noble mission both here at home and abroad.

The last several weeks were meaningful for me because this whole concept of supporting our troops came alive both last week when I visited the 101st Airborne down in Tennessee and Kentucky, but also 2 weeks prior to that when I had the opportunity, with two colleagues, Senator BOB BENNETT and Senator JOHN ENSIGN, to go to Kuwait and Baghdad in Iraq to visit our troops on the front line.

We visited with our troops in Kuwait and in Baghdad in clinics. We went to visit troops at hospitals. As a physician, I had the opportunity to talk to our physicians and nurses, who are doing such a tremendous job on the front line, taking care of people who have been injured by the terrorist activity. We had lunch with our troops; we had dinner with our troops. We spent a lot of time listening to and walking and talking with our troops on the front line. We learned a lot.

Given the savagery we wake up to every day and that occurs over the course of the day, which is reflected in our daily news media with the terrorist activity, before going over and preparing for my trip, I expected that when I went, I would find, possibly, a demoralized operation that would threaten to buckle at the next big terrorist event. I expected to come into contact with hopeless Iraqis, because you don't see the positive developments in our daily news here. I thought the Iraqis I met would be in despair with a lack of opportunity. I thought I might see that in them in terms of starting a new life or a freer life. Yet what we saw—and that is why it is so important for our elected representatives to go see this firsthand—is a country undergoing a dramatic rebirth. It is a rebirth fueled by faith and the importance of those principles—really the same principles we celebrated in tribute to Ronald Reagan 2 weeks ago: freedom, liberty, democracy. You can see it in the Iraqis' eyes when you have the opportunity to interact with them in a personal way. Democracy, freedom, and the rule of law are the principles they come back to with a lot of hope and optimism, understanding there are real challenges, which we are seeing every day along the way.

Prime Minister Alawi, who happens to be a physician, a neurologist, which is a nerve specialist in medicine, we had the opportunity to meet about 10 days after he had been chosen to be Prime Minister. Since that point in time, almost 3 weeks ago, you have begun to see his face on television. He has been speaking and saying to the Iraqi people that when these terrorists strike, it is not striking at the United States of America, not at the coalition, but the terrorists are striking and hurting the Iraqi people. They are trying to destroy the faith and belief in freedom and democracy and represent-

ative government. It is important that it is an Iraqi face that is telling the real story to the Iraqi people. According to the Prime Minister, the people are responding.

As Prime Minister Alawi said to us when we met in Baghdad, the radical Islamists and Saddamists—the loyalists to the old Saddam regime—who are conducting these attacks despise freedom. He said they hate freedom, despise it. They despise the rule of law.

The terrorists know that if democracy succeeds, they have lost; thus, we are going to see this increased activity of terrorism. We will see it, I am sure, over the next 5 days as we lead up to the turnover of sovereignty, and it will likely continue for a period of time, according to President al-Yawar of Iraq, as well as the Prime Minister. They say that is going to be the reality for a while.

But despite this terrorist activity—and this is what I think is important to share—there is much good news. A lot of progress has been made in the last year. Unemployment has been cut to nearly half. Bank deposits are up.

Inflation has been reduced by more than 50 percent.

Oil production is nine times higher than it was a year ago. Electricity is flowing. Forty percent more people have telephones and are using telephones today than during the Saddam Hussein era.

More than 1,200 medical clinics and over 240 hospitals—all the hospitals—are now up and running and operating today.

In the field of education, 2,400 schools have been rehabilitated. The Iraqi children are going to school on a daily basis.

Let me refer back to medicine. Over 85 percent of the children are immunized, which is actually higher than many urban areas in the United States of America.

So there is a lot of good news that is underway. We are moving in the right direction.

I also wish to mention what is becoming increasingly apparent to me, especially after traveling there, is the \$18 billion we appropriated, we sent to Iraq to be spent, has not yet been spent. There are about \$8 billion or \$9 billion that has not been spent. The rest of it has been allocated but still not spent.

What we are likely to see over the next several weeks or months is acceleration in the flow of that money. That money goes into health, education, electricity, oil, infrastructure, microloans in support of the economy, and that infusion of money and resources will make a difference. It has just flowed too slowly over the last 6 to 8 months since we have appropriated it, and now that will accelerate. We are assured by those people who will be overseeing that money that the system is set up to allow that money to flow much more quickly, which will have a more dramatic, even greater, impact.

The test is here, though. This test of the turnover to sovereignty is before the Iraqi people. The Iraqis will face their first true test of sovereignty, and it is absolutely imperative that our troops be able to adequately support their Iraqi partners when asked to do so. Prime Minister Alawi, as well as President al-Yawar, made it very clear they need the continued support of the coalition during this turnover of sovereignty and in this period of transition, which will be months and maybe years, as they rebuild their own police forces and security forces, and that just simply takes time.

The Senate this week, by passing those two bills—the Defense authorization bill and the Defense appropriations bill—has acted on behalf of the American people to maximally support our troops, to maximally support this war on terror, and the passage of these two bills reflects our commitment to bring fundamental human rights and liberties to a ravaged and oppressed region of the world. That is real progress on the floor of the Senate, passage of those two bills in the last 72 hours.

Looking again over the last 4 weeks, a second area in which we made real progress is the judicial nominations. Since June 1, the Senate has confirmed 24 judges for positions in the U.S. Federal courts. The installation of these new judges is vital to the creation of a healthy and efficient Federal court system, and the United States is fortunate to have judges of such high caliber, supreme caliber now eligible to serve on the bench. So 24 more judges have been confirmed since June 1.

There has been real progress in a third field, and that is other nominations. Alan Greenspan was confirmed to another term as Chairman of the Federal Reserve, our former colleague, Jack Danforth, as our new Ambassador to the United Nations just this week, and John Negroponte as Ambassador to Iraq. Again, very important nominations have been addressed, judicially and in other fields.

In a fourth area, I will mention several measures. One is the Child Nutrition Act. My colleague from Mississippi, THAD COCHRAN, did a tremendous job in the Agriculture Committee with the Child Nutrition Act. It has not been on the front page that we passed that act. But in this particular bill is the School Lunch Program, the School Breakfast Program, the Summer Feeding Program, and the Women, Infants and Children, so-called WIC, nutritional program. An interesting statistic is that about 50 percent of all newborns today qualify for the WIC Program. It is an amazingly high number, but it shows the importance and significance of this program which has been extended.

Also, in this particular bill that Senator COCHRAN led through the Senate and was passed in the Senate is the application of nutritional standards which, as a physician, as one very interested in health, especially children's

health and infant's health, I think is very important.

In addition, we created the Department of Homeland Security headquarters. That is a first. That is at the Nebraska Avenue complex.

So we made real progress over the last 4 weeks. We have a lot of work—much work—to be done in the remaining days of the 108th Congress. As I said many times—in fact, I usually open and close with it each day—the number of legislative days remaining in this session is few, rapidly dwindling, and there are a whole range of issues we must address before November. The Senate must seize this week's momentum and be focused when we reconvene on July 6.

Very briefly, as we look ahead to when the Senate comes back, we will return to the consideration of class-action reform legislation. It is a very important piece of legislation. I had hoped initially to complete debate on this measure before the recess, but I accommodated concerns of my colleagues on the other side of the aisle who support this measure, and we postponed consideration of class action until we get back from the recess.

In fact, I should mention, just as a reminder, that this is my third attempt as majority leader to bring class action to the floor of the Senate. I moved to proceed to the bill in October, October 22. The other side of the aisle blocked us proceeding to that piece of legislation.

Secondly, I scheduled long in advance that we would come to class action on June 1, but I was asked by my Democratic colleagues, the ones who support this legislation, to postpone it and do not go to it June 1.

Thirdly, I have scheduled it for when we return on July 6. We have to address it at this juncture. We just have so few days left in this session that now is the time to address class action, and we will be addressing it when we come back. This is my third attempt to bring it to the floor of the Senate.

Every day all of us, although we may not think about it, as consumers are affected by increased prices due to either exorbitant lawsuits that do not make any sense or just frivolous lawsuits that may be reflected in the current class-action mechanism.

We set out in a bipartisan way to develop a very good bill that should have 62 votes or more, an overwhelming majority of the Senate. It is a very good bill that addresses appropriate class action reform. I stress, it is bipartisan. The bill we are bringing to the Senate floor is a bipartisan bill. I am looking forward to a healthy and honest debate and to ultimately pass this sorely needed reform.

I do want to thank my Republican and Democratic colleagues who have worked together to fashion the bill that, as I said, at least in conversations, the legislation has been written and has 62 or more votes at this juncture.

Looking ahead to next month, I have announced that the Senate will also debate the Federal marriage amendment. Certainly this is much anticipated legislation. I expect us to have a comprehensive and defining debate on this important issue. This issue is central, I believe, to understanding our country's values and identity. I initiate this process—and it is a constitutional process—in the Senate because I believe elected representatives, not activist judges, should be the ones who define this institution, which reflects the social fabric of our society. In large part, it is in response to what activist judges have taken upon themselves, and that is to radically redefine what marriage is. It is really in response to that that we are going to have this national discussion, and it is going to be right on the Senate floor.

In July, the Senate will also act on a trade issue, the U.S.-Australian Free Trade Agreement. This is important legislation. In passing this new legislation, the United States will inject almost a half billion dollars into our economy. This will continue to drive our own country's continuing economic growth.

A couple of issues that are down the track—they are not there yet, so we need to get all the way down the track if we are going to keep moving America forward. One is the transportation bill. That bill is in conference now. It is a very important bill that has to do with safety on our highways, creation of jobs, economic growth and prosperity in communities that depend upon good highways and good roads to facilitate commerce, and the list goes on. It is a bill that has been passed in the Senate and in the House. As people know, there are significant differences. My goal is to have those differences worked out in the conference and to send a bill to the President of the United States that he will sign.

To me, the exercise is really—I will not say worthless; it is always important to exercise, but if the President is not going to sign the bill, we are simply not going to accomplish what we want to in jobs, in economic prosperity, in safety issues related to our highways.

The second issue I will mention is the manufacturing jobs bill on the Senate floor. The FSC/ETI bill, as some people refer to it, really just centers on a very simple concept that we have a Euro tax, a tax that is imposed on the U.S. businesses right now that is increasing 1 percent a month, that this bill addresses. We have passed it in the Senate. The House has passed their bill. Now it is time for us to go to conference so we can work out the differences and eliminate the impact of this Euro tax on America.

So a lot has been accomplished over the last 4 weeks. I hope we can continue this momentum—in fact, we will continue this momentum—and come back from the recess with a commitment to serving America's best interest in a focused way.

The 1 week I left out of the last 4 weeks is the week we spent in tribute to Ronald Reagan, where we recognized the life and legacy of one of America's greatest Presidents. A little over 2 weeks ago, we paid our final respects to President Ronald Wilson Reagan. Over the course of the week, we had the opportunity to mourn the passing of this great American leader but also to celebrate the values for which he stood. There were countless tributes paid to President Reagan, his beloved wife Nancy, and to the entire Reagan family. All of those tributes helped us celebrate the memory of this optimistic, bold, and compassionate President. World and national leaders filed through this building, the Nation's Capitol, down the hallway behind me, to pay respects as the President lay in state. We had the opportunity to welcome many of those world and national leaders, but what was truly remarkable to me was to be able to be in my office or in the hallway and see the hundreds and then the thousands and then the tens of thousands of ordinary, regular, hard-working Americans who came to the Nation's Capital from all around the country, people who would drive hundreds, indeed thousands, of miles. People would get on an airplane and arrive at 10 at night to stand in line for 4 or 5 hours to pay their respects.

Throughout the week, our shining Capital City united peoples throughout the world, both those who could be here, those who watched on television, those who read the newspapers, and those who heard it on the radio. It united the American people and the world peoples in a way that is very rare. Indeed, it is the sense of national and global community that embodied the legacy of the 40th President, and though we said goodbye to the man, we carry forward his relentless faith in those values of freedom and democracy.

Later this afternoon, I will be traveling to the NATO Istanbul summit in Turkey in anticipation of this trip where international leaders will be gathering to look ahead and address the international climate. Couple that trip, my anticipation of what I will find and learn on that trip, with the summary I just gave and the events that occurred in the last 4 weeks in this country and on the floor of the Senate, I personally will be celebrating the Fourth of July with a renewed sense and appreciation for and faith in the ideals that are represented in the United States of America.

We have a lot of challenging days ahead, and we have a lot of exciting days ahead. We will continue honoring our country's great, bold, and storied legacy when the Senate reconvenes on July 6.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HABITAT FOR HUMANITY INTERNATIONAL

Mr. FRIST. Mr. President, it was 1976 in Americus, GA. Millard Fuller and his wife Linda had sold their possessions, given away their millions and rededicated themselves to their Christian faith. They had decided to express their faith by building homes for the poor. They believed, in their words, that:

What the poor need is not charity but capital, not caseworkers but co-workers. And what the rich need is a wise, honorable and just way of divesting themselves of their overabundance.

So they founded Habitat for Humanity International to build no-interest, no-profit homes for the poor and homeless.

Since then, the ecumenical, Christian-based organization has grown to serve 89 countries. It has built more than 150,000 houses providing more than three quarters of a million people with safe, decent, affordable shelter. Millard and Linda Fuller have taken a Biblical injunction and turned it into worldwide action.

Jack Kemp, former U.S. Secretary of Housing and Urban Development and a board member of the organization, says that, "When I'm asked about housing success stories from our inner cities, the first group that comes to mind is Habitat for Humanity."

I tell you all of this, because next month, I have the privilege of joining over two dozen volunteers in my home town of Nashville, TN, to help build a Habitat home for Anita Phillips, a single mom of three. Local businesses have donated supplies. Anita has taken out a no-interest mortgage. She will be working alongside us, hammering nails and hauling lumber. Anita calls her new Habitat home "a gift from God."

For nearly three decades, Habitat has shared the gift of homeownership with thousands around the world. Habitat helps organize local communities to pitch in and give hard working people like Anita the opportunity to build equity and pride.

In Tennessee, alone, Habitat has 52 affiliates and serves 61 counties. This year, Tennessee will celebrate building two thousand Habitat homes.

Social scientists tell us that homeownership is one of the most important economic and social investments we can make. Owning a home helps families build financial stability and wealth. It helps break the cycle of poverty as families accumulate equity.

Homeowners also become stakeholders in their communities. They become more invested in the civic life and health of their neighborhood. Their children are healthier and do better in school.

Owning ones' home also generates a sense of pride and belonging. It's a big

responsibility, but those four walls belong to you.

I commend Habitat for Humanity International for their tireless efforts. This past March, I was joined by over a dozen members from both sides of the aisle and both houses of Congress to build a home right here in the Nation's capital.

I encourage my colleagues to participate in Habitat builds in their home States, as well. It sends the message that Congress is committed to helping organizations like Habitat spread the good work.

This fiscal year, Congress has provided \$27 million for the Self-Help Homeownership Opportunity Program. Also called, "SHOP," the program requires homebuyers to contribute their labor to the construction or rehabilitation of their soon-to-be, new home. President Bush has requested \$65 million for the next fiscal year to support the SHOP initiative.

Additionally, the 108th Congress passed, and President Bush signed into law, the "American Dream Downpayment Act of 2003." This new program will help 40,000 families a year with their down payment and closing costs.

In the halls of Congress and in communities across America, we care about helping our neighbors fulfill the American dream.

Habitat for Humanity International has been at the forefront of the cause.

That is because through their faith and compassion, Millard and Linda Fuller realized decades ago that the working poor need a hand-up not a hand-out, and that a community is not just something you join, it's something you build.

HONORING BOB MICHEL

Mr. DURBIN. Madam President, yesterday I introduced legislation to name the Veterans Affairs Clinic in Peoria, IL, the Bob Michel Department of Veterans Affairs Outpatient Clinic in honor of former House Minority Leader Robert H. Michel.

Bob Michel's interest in veterans' affairs began when he served in the Army's 39th Infantry Regiment, fighting on Normandy Beach during World War II. Wounded by machine gun fire during the Battle of the Bulge, he was discharged from the military as a disabled veteran after earning The Purple Heart, two Bronze Stars, and four Battle Stars.

Michel began his life of public service in 1957, serving the citizens of the 18th District of Illinois in the House of Representatives. Because of his hard work and dedication to his constituents, he was elected minority whip and eventually House minority leader. He was also actively involved in the creation of several pieces of legislation that dealt with veterans' affairs, including a resolution that helped to remove obstacles to employment of partially disabled persons honorably discharged from the Armed Forces.

A veteran himself, Michel understood the need for quality health care for those who served in the military. He used his prominent position in the House of Representatives to lead the effort to establish a VA clinic in Peoria. The clinic he helped to create now serves up to 10,000 veterans a year, in as many as 12 counties in central Illinois. The clinic offers a variety of services for veterans, including medical and mental health services, ophthalmology, audiology and assistance for the homeless.

Representative RAY LAHOOD, who now holds the Congressional seat previously held by Bob Michel, has introduced companion legislation in the House. Representative LAHOOD's bill is supported by all House members of the Illinois delegation.

I hope that the Senate will act expeditiously in enacting this legislation. This bill will serve to honor Robert H. Michel who served our country through his service in the military and Congress.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On January 18, 1999, a carload of men in San Francisco, CA, allegedly threw a bottle at and taunted two gay men.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

FOCUS HOPE'S MOBILE PARTS HOSPITAL

Mr. LEVIN. Madam President, earlier this week the U.S. Army held an awards ceremony honoring the Top Ten Greatest Inventions of 2003. Looking at each of these inventions, one is reminded of the technological innovation, ingenuity and entrepreneurial spirit that our Nation is able to harness in the global war on terror. These are among our Nation's greatest assets.

One of the Army's Top Ten Greatest Inventions of 2003 was the product of the U.S. Army Tank Automotive Research Development and Engineering Center, TARDEC, located in Warren, MI. This device, the Squad Automatic Weapon Pintle Mount Assembly for the Humvee is a gun mount that has been directly attributed with protecting and saving the lives of many of our soldiers who are currently deployed in Iraq.

This gun mount is a novel device that would not have been possible were

it not for another technological advance that has been developed by the U.S. Army TARDEC's National Automotive Center; Focus: HOPE, a Detroit-based non-profit; Alion; the Cleveland Advanced Manufacturing Project; and several other organizations.

The Mobile Parts Hospital, as its name implies, is a field deployable unit that can rapidly manufacture parts as they are needed. Utilizing the latest manufacturing and computer technologies, the Mobile Parts Hospital team has developed a mobile unit that can readily travel to any destination. By using parts specifications or by reverse engineering an actual part, this hospital can make parts as they are needed.

For the past several years, I have worked to fund research and development into this program in the hopes that this would one day be able to assist our men and women in uniform. It was hoped that these science and technology efforts would enable the Mobile Parts Hospital to reduce the need for carrying numerous parts into battle. Earlier this year, that vision became reality as the Mobile Parts Hospital and its crew team were deployed to Camp Arifjan, Kuwait. The success of the Mobile Parts Hospital far exceeded anyone's expectations. Not only did it create one of the Army's Ten Greatest Inventions for 2003, but it was immediately able to begin assisting units in need of parts.

Earlier this year, my brother, Congressman SANDER LEVIN, was able to speak directly with the mobile parts team in Kuwait from Washington, DC. During that conversation, he learned that as soon as the team arrived in Kuwait, they had soldiers lined up outside the Mobile Part Hospital seeking the parts and tools they needed to perform their duties.

By all reports, the soldiers came away impressed with the Mobile Part Hospital and grateful for its presence in Kuwait. Many soldiers and contractors have written to the Mobile Parts Hospital team thanking them for their work and for the hospital itself. One soldier wrote saying that:

Currently, I am stationed in Iraq and I was in need of some gun mounts. I made a stop by Camp Doha to pick up some supplies and drive them back up into Iraq. However, my unit is short some gun mounts. I stopped by Kevin Green's shop and asked him to help me out. He was very helpful. In fact, he produced 4 SAW [Squad Automatic Weapon] mounts and adaptors for our unit overnight. I was able to mount all of my weapons, which is very helpful when we are engaged with the enemy. I wanted to let you know that the mounts he is making are what we need and he is very helpful in what he is doing. Thank you.

Another soldier wrote saying that:

you have an excellent representative to your project here in Kuwait and your products are excellent quality, and in excellent working order, much better than what we are able to pull out of a retro yard, and I wish we would have had this service a year ago when we got here. You all have done a

great service to the Army, and particularly, my guncrew . . . and for that, I thank you!!

Others wrote that due to the work of the Mobile Parts Hospital they were able to get their CH-47 helicopters "fully mission capable for this task. We appreciate everything these guys have done for us. They have been more than cooperative and willing to help. They have been very professional, in person, and at their jobs."

The Mobile Parts Hospital has been used to make new parts for many purposes and one contractor noted that:

A colleague saw new tools and asked if the Mobile Parts Hospital "could manufacture similar tools. Not only did they agree to, but they also agreed to slightly modify their current design to meet . . . requests for modification of the tools.

I cannot say enough how appreciative I am of their help, timeliness, and professional demeanor. They are currently working under a heavy load due to the Army's decision to attempt to send only armored Humvees to Iraq. They have been asked to make a VARIETY of parts for all manner of devices. As for my shop, we are currently inspecting and servicing .50 caliber machine guns (plus others) that are being sent to or with the warfighters in Iraq. Being able to save time, labor, and damage (incurred using the hammer and punch method), we are able to send the weapons out in a much more timely fashion.

I want to thank you for having the foresight to send this team of dedicated workers and I want to thank the men at the 'parts doctor' shop."

Michigan has a long and proud tradition of serving as the "Arsenal of Democracy." The Mobile Parts Hospital is just one of the latest examples of the ingenuity and innovation that has enabled our nation to succeed in past conflicts and guarantees our success in the future.

Developed in conjunction with Focus: HOPE, a non-profit organization committed to taking "intelligent and practical action to overcome racism, poverty and injustice," and the National Automotive Center, the Mobile Parts Hospital has been a tremendous success. Both organizations are to be commended for their vision and their dedication to developing a practical tool for assisting our soldiers in combat, and making a lasting contribution to our national security.

For 35 years, Focus: HOPE has been helping people develop the skills they need to succeed professionally. Many of the candidates at Focus: HOPE, who are earning their Associate's or Bachelor's degrees, played a key role in developing the Mobile Parts Hospital. Focus: HOPE and the entire Mobile Parts Hospital team are to be commended for their efforts in making this project a success. In particular, I would like to honor the 9 team members who were at Camp Arifjan working with the Mobile Parts Hospital and supporting our troops. What follows is the list of their names: Todd A. Richman, Joe Shenosky, Kevin Ksiazek, Tim Ponzi, Robert Huffman, Greg Murnock, Kevin Green, Matt Middleton, and Greg Outland.

SOJOURNER TRUTH

Mr. LEVIN. Madam President, yesterday, I joined Senator CLINTON and 18 other Members of the Senate in introducing S. 2600, legislation calling for the revision of the group portrait monument, located in the Capitol Rotunda, honoring leaders of the Women's Suffrage movement to include the likeness of Sojourner Truth. Our bill has the support of Senators on both sides of the aisle and is an appropriate step towards honoring Truth's contributions to eliminating women's suffrage.

In its current form, the monument features the sculpted busts of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony. As many know, one corner of the stone is unsculpted and was clearly intended to include a fourth hero of the suffrage movement. I believe that woman should be Sojourner Truth and that is why I have cosponsored this important piece of legislation.

Sojourner Truth, though unable to read or write, was considered one of the most eloquent and noted spokespersons of her day. She was a leader in the abolitionist movement, and a groundbreaking speaker on behalf of equality for women.

Sojourner Truth was born Isabella Baumfree in 1797 in Ulster County, NY, and served as a slave under several different masters. She bore four children who survived infancy, and all except one daughter were sold into slavery. Baumfree became a freed slave in 1828 when New York State outlawed slavery. She remained in New York and instituted successful legal proceedings to secure the return of her son, Peter, who had been illegally sold to a slave-owner from Alabama.

In 1843, Baumfree changed her name to Sojourner Truth and dedicated her life to traveling and lecturing. She began her migration west in 1850, where she shared the stage with other abolitionist leaders such as Frederick Douglass. In October 1856, Truth came to Battle Creek, MI, with Quaker leader Henry Willis to speak at a Friends of Human Progress meeting. She eventually bought a house and settled in the area. Her antislavery, women's rights, and temperance arguments brought Battle Creek both regional and national recognition. Sojourner Truth died at her home in Battle Creek, MI, on November 26, 1883, having lived a truly extraordinary life.

Truth also lived in Washington, DC for several years, helping slaves who had fled from the South, and appearing at women's suffrage gatherings. She returned to Battle Creek in 1875, and remained there until her death in 1883. Sojourner Truth spoke from her heart about the most troubling issues of her time. A testament to Truth's convictions is that her words continue to speak to us today.

Sojourner Truth was a political and social activist who personally conversed with President Abraham Lincoln on behalf of freed, unemployed

slaves, and campaigned for Ulysses S. Grant in the Presidential election in 1868. Sojourner was a woman of great passion and determination who was spiritually motivated to preach and teach in ways that have had a profound and lasting imprint on American history.

I am proud and the people of my State are proud to claim this legendary leader. In September of 1999, Michigan honored Sojourner Truth with the dedication of the Sojourner Truth Memorial Monument, which was unveiled in Battle Creek, MI.

The contributions of Sojourner Truth, who helped lead our country out of the dark days of slavery, are indelibly etched in the chronicle of not only the history of this Nation, but are viewed with distinction and admiration throughout the world. In 1851, Sojourner delivered her famous "Ain't I a Woman?" speech at the Women's Convention in Akron, OH. She spoke from her heart about the most troubling issues of her time. Her words on that day in Ohio are a testament to Sojourner Truth's convictions and are a part of the great legacy she left for us all.

In closing, I must take a moment to pay special tribute to Dr. C. Delores Tucker, who has been the chief crusader in the movement to add Sojourner Truth to the Women's Suffrage group portrait monument. Dr. Tucker, President of the Bethune-Dubois Institute and Chair of the National Congress of Black Women, is a woman of strong conviction and is unyielding in her pursuits for justice and fairness. Because of her diligence and commitment, constructive efforts are now on the way to ensuring that Sojourner Truth will be shown in her rightful place, in our Capitol Rotunda. I must also commend the National Council of Women's Organizations for their active support of this legislation.

I ask unanimous consent that the text of S. 2600, including cosponsors, be inserted in the RECORD at the end of my remarks, following Truth's "Ain't I a Woman" speech.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AIN'T I A WOMAN

(By Sojourner Truth)

Well, children, where there is so much racket there must be something out of kilter. I think that 'twixt the negroes of the South and the women at the North, all talking about rights, the white men will be in a fix pretty soon. But what's all this here talking about?

That man over there says women need to be helped into carriages, and lifted over ditches and to have the best place everywhere. Nobody ever helps me into carriages, or over mud puddles, or gets me any best place!

And Ain't I a Woman?

Look at me! Look at my arm! I have ploughed, and planted, and gathered into barns, and no man could head me!

And Ain't I a Woman?

I could work as much and eat as much as a man—when I could get it—and bear the lash as well!

And Ain't I a Woman?

I have borne five children and seen most all sold off to slavery, and when I cried out with a mother's grief, none but Jesus heard me.

And Ain't I a Woman?

Then they talk about this thing in the head; what's this they call it? (member of the audience whispers 'intellect') That's it, honey.

What's that got to do with women's rights or negroes' rights? If my cup won't hold but a pint, and your holds a quart, wouldn't you be mean not to let me have my little half measure full?

Then that little man in black there, he says women can't have as much rights as men, cause Christ wasn't a woman?

Where did your Christ come from? Where did your Christ come from? From God and a woman! Man had nothing to do with Him.

If the first woman God ever made was strong enough to turn the world upside down all alone, these women together ought to be able to turn it back, and get it right side up again! And now they is asking to do it, the men better let them.

Obliged to you for hearing me, and now old Sojourner ain't got nothing more to say.

S. 2600

Mrs. CLINTON (for herself, Mr. LEVIN, Mr. DODD, Ms. CANTWELL, Mr. SARBANES, Mr. SCHUMER, Ms. LANDRIEU, Mr. SANTORUM, Mr. LIEBERMAN, Mrs. BOXER, Mr. SPECTER, Mr. ALEXANDER, Ms. STABENOW, Mrs. FEINSTEIN, Mrs. HUTCHISON, Ms. MIKULSKI, Ms. COLLINS, Mr. CORZINE, and Mr. PRYOR) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL To direct the Architect of the Capitol to enter into a contract to revise the statue commemorating women's suffrage located in the rotunda of the United States Capitol to include a likeness of Sojourner Truth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Sojourner Truth was a towering figure among the founders of the movement for women's suffrage in the United States, and any monument that accurately represents this important development in our Nation's history should include her.

(2) The statue known as the Portrait Monument, originally presented to Congress in 1920 in honor of the passage of the Nineteenth Amendment guaranteeing women the right to vote and presently exhibited in the rotunda of the Capitol, portrays several early suffragists who were Sojourner Truth's contemporaries, but not Sojourner Truth herself, the only African American among the group.

SEC. 2. REVISION OF WOMEN'S SUFFRAGE STATUE.

Not later than the final day on which the One Hundred Ninth Congress is in session, the Architect of the Capitol shall enter into a contract to revise the statue commemorating women's suffrage located in the rotunda of the United States Capitol (commonly known as the "Portrait Monument") to include a likeness of Sojourner Truth.

CORRECTION FOR THE RECORD

Mr. LEAHY. Mr. President, on June 23, 2004, I gave a statement on the Feingold amendment concerning the Inspector General of the Coalition Provisional authority. When it appeared in

the RECORD, text was somehow inadvertently added to my statement. My statement should have ended after the sixth full paragraph of column three on page S7266. I can certainly understand how something like this could have happened as we were all working late into the night under very tight deadlines. This isn't the first time something like this has happened and I bet it won't be the last.

Of course, this is no fault of the good people of the Official Reporters of Debates. They do outstanding work and I know this will continue.

The following is how my statement should have appeared:

I rise today to express my strong support for the amendment offered by Senator Feingold.

Senator Feingold's amendment, which I am a proud co-sponsor, would allow the work of the Inspector General of the Coalition Provisional Authority (CPA-IG) to continue its work uninterrupted after the June 30 handover.

This is critical. Congress provided more than \$18 billion to rebuild Iraq, roughly the same amount that we spend on the rest of the world combined. Congress jammed through the Iraq supplemental appropriations bill in an extremely short time, without a sufficient number of hearings, into a very chaotic environment without the usual financial controls.

Recognizing this reality, Congress created a strong, independent Inspector General to help police these funds.

In the months that followed passage of the Iraq Supplemental, we heard numerous reports of waste, fraud and abuse. If anything, this should have send a clear signal to the administration and Congress that we need more—not less—oversight of these funds. It defies logic, then, that the State Department is now proposing to weaken the one entity that Congress specifically tasked with keeping track of these tax dollars.

The State Department's plan could undermine the independence of this Inspector General and disrupt this important work, reducing Congress's ability to account for these funds. It's unlocking the vault to those who want to cheat us.

The State Department also has told the Appropriations Committee that it will have to create 25 new positions to handle the work in Iraq.

Let me get this straight. We want to close down an IG that has about 60 people in place, which are actively conducting audits and rooting out waste fraud and abuse.

After the administration is finished closing down that office, they will turn around and hire 25 new people to do the same work—only through at a lower level office at the State Department.

Why on Earth would we want to do this? At a time when we are hearing weekly reports of abuse by Haliburton and others, why would we want to re-invent the wheel? Why would we downgrade the status of the CPA-IG and undermine its independence? It just does not make any sense.

This is why the amendment offered by Senator from Wisconsin is so important.

This is why I support his amendment.

I thank the chair for allowing me to make this correction.

PEER-REVIEW PROSTATE CANCER RESEARCH PROGRAM

Mr. CRAPO. Mr. President, I rise today in support of the Department of

Defense, DOD, Peer-Review Prostate Cancer Research Program.

No one in this Chamber has been spared the tragedy of cancer taking the life of a family member or friend. Many of those lives, in fact, have been taken by prostate cancer, as it is the leading cause of cancer deaths in men. Because baby boomers are entering the risk age for prostate cancer at a rate of one every seven seconds, the 2 million men currently impacted by the disease are increasing at about every 8 percent per year. Still, lives can be saved and finding a cure can be accelerated.

The DOD Peer Review Prostate Cancer Research Program continues to prove to be a success and many new treatments to end the pain and suffering due to prostate cancer are on the horizon. That is why I support a \$100 million earmark for fiscal year 2005.

The return on this investment is well worth it. In recent years, the DOD Breast Cancer Program funded groundbreaking research, such as the discovery of the drug Herceptin, which prolongs the lives of women afflicted with a particularly aggressive type of advanced breast cancer. In fact, Herceptin when used appropriately with chemotherapy increases the chances of survival by about 33 percent.

Those breakthroughs are possible in prostate cancer. This disease needs a Herceptin-like drug, and it is possible with adequate and fair funding for the DOD Peer Review Prostate Cancer Research Program.

This one-of-a-kind research program uses an innovative granting structure that brings scientists and consumers together to make key policy decisions about prostate cancer research. Since its inception eight years ago, this far-reaching, influential program has literally changed the way prostate cancer research is done. It has become a model that other research programs have sought to replicate.

The program has funded two key research grants, the Prostate Cancer Consortium Awards, which could help us unravel prostate cancer's challenge. These grants cover a 3-year period and are designed to produce an intervention—drug, device or procedure—to bring us all closer to finding a cure for this devastating disease.

This program is not only a shining example of streamlining effective research; it is an outstanding model for best business practices. Every penny spent by this program is accounted for at a public meeting every 2 years. Ninety percent of the funds go directly to research. This kind of efficiency and prudence in spending is unheard of in some of our Nation's best businesses and charities let alone other federally funded research programs and agencies.

According to reports of this business conscious program, the DOD Peer Review Prostate Cancer Research Program cannot conduct human clinical trials without the earmark funding of \$100 million for fiscal year 2005. The

program must help treat men, not just mice.

Unfortunately, the language in the Senate Department of Defense Appropriations Act for Fiscal Year 2005 threatens both the funding and unique structure of the Prostate Cancer Peer Review Research Program. The Senate bill combines all of the congressionally directed cancer research programs into one account and reduces the total funding available to all.

Because the Senate version lumps all the cancer programs into one pot, rather than maintaining separate earmarks, the proposal will have multiple, negative outcomes. As written, the Senate bill dismantles the unique accountability over research and seriously threatens the consumer-scientist driven integrity of the DOD prostate cancer research program. The proposal relieves the government of accountability while forcing cancer groups to compete with one another for reduced funding. And, a particularly dangerous component of the proposal transfers funding to other cancer projects that are not recommended by a scientific peer reviewed process.

As the Department of Defense Appropriations Act for Fiscal Year 2005 goes to conference, I urge my colleagues to support the language passed in the House and preserve this critical program for prostate cancer research.

ADDITIONAL STATEMENTS

HONORING CAPTAIN CHRIS CHRISTOPHER

• Ms. LANDRIEU. Madam President, I speak today to honor the service of CPT Chris Christopher, who is currently the Deputy Director for Future Operations, Communications and Business Initiatives at NMCI. Captain Christopher comes to this position after nearly 20 years of distinguished service to the Navy in the fields of aviation, public affairs and intelligence.

Captain Christopher has spent most of his life in New Orleans, and he has made a wonderful home there with his wife Patti and their two daughters. He received undergraduate and graduate degrees from the University of New Orleans, and his work with NMCI still brings him back to the UNO campus. Though he is now stationed in Virginia, his heart and family remain in New Orleans. As a Louisiana Senator, I like that!

Captain Christopher's work at NMCI has been truly outstanding. The Navy Marine Corps Intranet is a progressive project whose ultimate goal is to transform the Department of the Navy's computer networks. NMCI will revolutionize command and control efficiencies within the Navy, and between the services, to ensure that our forces are operating in unison. This will save American lives, increase combat readiness and effectiveness, and, ultimately,

make us stronger. Under Captain Christopher's leadership, many of these goals have been brought closer to reality.

From June 20-23, Captain Christopher organized the 2004 Navy Marine Corps Intranet Symposium in New Orleans. This event was an opportunity for all parties involved in NMCI to continue their dialogue on reshaping information technology in the Navy and Marine Corps. Captain Christopher made this event happen and I have been informed that it was a complete success.

I once again want to thank my friend, CPT Chris Christopher, for his efforts on America's behalf. Future generations of sailors and Marines will no doubt reap the benefits of his labor and America will be safer as a result. I am proud of Chris's "Louisiana-bred" success, and I wish him well in his future endeavors. •

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

IN HONOR OF STEPHEN E. COLLINS

• Mr. KERRY. Madam President, I am proud to join family, friends, and colleagues in recognizing and celebrating the incredible life and dedicated work of Steve Collins. His tireless efforts on behalf of our disadvantaged citizens have greatly benefited the Commonwealth of Massachusetts and his fighting spirit is an inspiration to us all.

Steve began his career as an advocate for the importance of human services over 25 years ago, and has continued his passion for helping others ever since. His career history includes work at a mental health center for youth, supervision of the Uphams Corner Health Center in Dorchester, case management at Minuteman Home Care, and direction of the Alliance for the Mentally Ill of Massachusetts. Steve's most sweeping impact, however, has come through his work with the Massachusetts Human Services Coalition, where, after years of participation in the Coalition's efforts, he became Executive Director in 1999.

Steve comes from a family committed to working for the public good. He is the son of a high school teacher and a newspaper editor, and it was his father who from early on taught him to "comfort the afflicted and afflict the comfortable." Taking this motto to heart, Steve has, for many years, been a voice for the voiceless citizens of Massachusetts by monitoring State policy and budgets and advocating for the vital services that aid the disadvantaged. With unwavering devotion, Steve has embraced his role as David to the sometimes Goliath government bureaucracy, and he has continually won tangible results.

Armed with an amazing ability to inject humor into his noble struggles, Steve calls upon governors and legislators to look more critically at the effects of their policies with events like

the “‘State of the State We’re Really In’ Bake Sale.” And while his criticisms are direct and his position unflinching, Steve has earned the respect of legislators and officials alike. He never compromises his vision and always works around-the-clock to mobilize support for the protection of human services.

Steve manages to forever remind us all that every citizen deserves respect, and with that recognition of human dignity comes the obligation to assist those in need. He serves as a voice for the most vulnerable in our society, and the utter importance of his life’s work cannot be overstated.

There is no more noble goal than to serve others. Steve remains a loyal friend to those in need of his help, and he has never backed down from the challenge of defending them. I am honored by his ceaseless efforts and it is with respect and gratitude that I join in celebrating Steve’s life, work, and innumerable contributions.●

HONORING BRIGADIER GENERAL WILLIAM “BUNKER BILL” KANE

● Mr. MILLER. Madam President, today I wish to pay tribute to BG William P. Kane, who on July 10, 2004, will complete nearly 6 years of command at Dobbins Air Reserve Base in Marietta, GA, and who will move on to command at Peterson Air Force Base, CO.

When we were young, many of us were exposed to the phrase “you can do anything that you set your mind to.” Some of us live out that desire by finding success as academics, others as scientists or politicians. Some of us find passion in the freedom of flight, while some of us thrive in the structure of the military. However, very few of us are able to test our limits and succeed in multiple areas. I stand before you to recognize one such person.

BG William P. Kane is the current commander of the 94th Airlift Wing at Dobbins Air Reserve Base, leading both the 94th Airlift Wing and Dobbins ARB. Although Dobbins is a small base in physical size, it also happens to be the largest multiservice Reserve training base in the world. Owned by the Air Force Reserve, Dobbins supports more than 10,000 guardsmen and reservists from the Army, Navy, Marines, and Air Force. It is home to nearly 50 aircraft assigned to different flying units and boasts more than 7,000 takeoffs and landings each month. This enormous flying mission is what General Kane manages on a daily basis, around, I would like to point out, one of the busiest airports in the Nation, Hartsfield-Jackson International Airport.

After our Nation was attacked on September 11, 2001, the military had to quickly adapt to a new mission. As operational tempo increased, commanders had to take on expanding roles. General Kane immediately took the necessary and innovative steps to transform the mission of Dobbins ARB

and the 94th Airlift Wing. While Dobbins continued to embrace its role in training C-130 crew members and maintaining combat-ready units to deploy on short notice, General Kane had to “batten down the hatches” in the heightened security atmosphere. And in typical fashion, General Kane took on his force protection mission with vigor, even relishing in the nickname “Bunker Bill,” as he erected sandbags and barriers at the base.

General Kane began his impressive Air Force career after graduating from the State University of New York at Binghamton in 1969 with a bachelor’s degree in biology. He entered the Air Force soon thereafter and obtained his commission through Officers Training School. After serving 5 years on active duty at Dyess Air Force Base, TX, General Kane joined the Reserves at Niagara Falls International Airport, NY, and served in the 328th Tactical Airlift Squadron while attending graduate school. He completed his graduate work in 1982 and was awarded his Ph.D. in cell and molecular biology. He then went on to conduct basic biological research as a postdoctoral fellow at the Fox Chase Cancer Institute in Philadelphia, PA, and the State University of New York at Buffalo, Buffalo, NY. He then joined the Air Reserve technician program in 1984 at March Air Force Base, CA. General Kane is a command pilot with more than 6,500 flying hours.

Looking back over General Kane’s illustrious career thus far, I am reminded of a quote by Orison Swett Marden, a famed 19th century thinker. Marden stated that:

the greatest thing a man can do in this world is to make the most possible out of the stuff that has been given to him. This is success and there is none other.

Officer, pilot, academic, scientist, husband, father. I believe that Marden, were he still alive today, would not hesitate to proclaim GEN William P. Kane a completely successful man. People spend most of their lives attempting to do one thing well. Few and far between are the people who have the courage to try and the determination to achieve success at multiple levels, as General Kane certainly has. And he is not finished.

I thank him for his years of service to the Air Force Reserve and to Georgia. I wish him and his family all the best as he continues with his Air Force career in Colorado and with all future endeavors. Georgia will miss General Kane. He is Georgia at its finest.●

MESSAGE FROM THE HOUSE

At 11:28 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 120. Concurrent resolution providing for a conditional adjournment or recess of the Senate and the House of Representatives.

ENROLLED BILLS SIGNED

The message also announced the Speaker has signed the following enrolled bills and joint resolution:

H.R. 884. An act to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, and 326-K, and for other purposes.

H.R. 2751. An act to provide new human capital flexibilities with respect to the GAO, and for other purposes.

H.R. 4103. An act to extend and modify the trade benefits under the African Growth and Opportunity Act.

H.J. Res. 97. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The enrolled bills and joint resolution were signed subsequently by the Acting President pro tempore (Mr. FRIST).

The message further announced that pursuant to section 214(a) of the Help America Vote Act of 2002 (42 U.S.C. 15344), and the order of the House of December 8, 2003, the Speaker appoints the following individual on the part of the House of Representatives to the Election Assistance Commission Board of Advisors for a term of two years: Mr. J.C. Watts, Jr., of Norman, Oklahoma.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4278. An act to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4417. An act to modify certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents; to the Committee on the Judiciary.

H.R. 4478. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through July 23, 2004, and for other purposes; to the Committee on Small Business and Entrepreneurship.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 218. An act to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2707. To provide for an assessment of the extent of the invasion of Salt Cedar and Russian Olive on lands in the Western United States and efforts to date to control such invasion on public and private lands, including tribal lands, to establish a demonstration program to address the invasion of Salt Cedar and Russian Olive, and for other purposes.

MEASURES READ FOR THE FIRST TIME

The following bill was read the first time:

H.R. 4359. An act to amend the Internal Revenue Code of 1986 to increase the child tax credit.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that today, June 25, 2004, she had presented to the President of the United States the following enrolled bill:

S. 2017. An act to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the "Luis A. Ferre United States Courthouse and Post Office Building".

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2180. A bill to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado (Rept. No. 108-285).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

S. 2243. A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska (Rept. No. 108-286).

H.R. 1648. A bill to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District (Rept. No. 108-287).

H.R. 1732. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, and for other purposes (Rept. No. 108-288).

H.R. 3209. A bill to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project (Rept. No. 108-289).

By Ms. COLLINS, from the Committee on Governmental Affairs, without amendment:

S. 2479. A bill to amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time, and for other purposes (Rept. No. 108-290).

DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations and the nominations were confirmed:

Jackson McDonald, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea.

James D. McGee, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Madagascar.

Joyce A. Barr, of Washington, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Namibia.

June Carter Perry, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Lesotho.

R. Barrie Walkley, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Gabonese Republic, and to serve concurrently and * * *.

Cynthia G. Efid, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Angola.

Christopher William Dell, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zimbabwe.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CHAFEE (for himself, Mr. SARBANES, Ms. SNOWE, Mr. BREAU, Mrs. BOXER, and Mr. LAUTENBERG):

S. 2606. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 1129

At the request of Mrs. FEINSTEIN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 1129, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S. 2016

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2016, a bill to provide for infant crib safety, and for other purposes.

S. 2088

At the request of Mr. KENNEDY, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 2088, a bill to restore, reaffirm, and reconcile legal rights and remedies under civil rights statutes.

S. 2109

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2109, a bill to provide for a 10-year extension of the assault weapons ban.

S. 2283

At the request of Mr. BAUCUS, the name of the Senator from Minnesota

(Mr. DAYTON) was added as a cosponsor of S. 2283, a bill to extend Federal funding for operation of State high risk health insurance pools.

S. 2498

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2498, a bill to provide for a 10-year extension of the assault weapons ban.

S. 2502

At the request of Mr. CRAIG, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2502, a bill to allow seniors to file their Federal income tax on a new Form 1040S.

S. 2603

At the request of Mr. SMITH, the name of the Senator from Louisiana (Mr. BREAU) was added as a cosponsor of S. 2603, a bill to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions.

S. CON. RES. 110

At the request of Mr. CAMPBELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Con. Res. 110, a concurrent resolution expressing the sense of Congress in support of the ongoing work of the Organization for Security and Cooperation in Europe (OSCE) in combating anti-Semitism, racism, xenophobia, discrimination, intolerance, and related violence.

S. RES. 311

At the request of Mr. BROWNBACK, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. Res. 311, a resolution calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thadeus Nguyen Van Ly, and for other purposes.

AMENDMENT NO. 3541

At the request of Mr. KOHL, the names of the Senator from Ohio (Mr. DEWINE), the Senator from Indiana (Mr. BAYH), the Senator from New York (Mr. SCHUMER) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of amendment No. 3541 proposed to H.R. 4613, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CHAFEE (for himself, Mr. SARBANES, Ms. SNOWE, Mr. BREAU, Mrs. BOXER, and Mr. LAUTENBERG):

S. 2606. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program; to the Committee on Environment and Public Works.

Mr. CHAFEE. Mr. President, I am joined today by Senators SARBANES,

SNOWE, BREAUX, BOXER and LAUTENBERG in introducing legislation to reauthorize a highly successful and collaborative program known as the National Estuary Program (NEP).

In 1987, Congress created the NEP to restore designated estuaries of national significance. Since 1987, the EPA estimates that the NEP has preserved, restored or created approximately 719,000 habitat acres, and has leveraged \$200 million in local, State and private sector funding, with an average leveraging ratio of 11 to 1. The NEP has accomplished this by fostering and maintaining strong partnerships among Federal, State and local governments, the private sector and local stakeholders, and by using a consensus, community-based approach with strong local control in developing and implementing their Comprehensive Conservation and Management Plans (CCMPs).

Today, there are 28 estuaries in the NEP, covering more than 42 percent of the continental U.S. shoreline. Nearly half of the U.S. population resides in coastal areas, with thousands of new residents arriving every year. In the United States, estuaries provide habitat for three-quarters of America's commercial fish catch, and 80-90 percent of the recreational fish catch.

Estuarine-dependent fisheries are among the most valuable, with an estimated worth of \$1.9 billion nationwide. Coastal recreation and tourism generate an additional \$8 to \$12 billion annually. According to recent analyses by the Environmental Protection Agency (EPA), estuaries of the NEP employ 39 million people and support total economic output and employee wages estimated in the trillions. The tourism sector alone employs 1.2 million people and generates more than \$87 billion in expenditures.

Despite their economic and environmental importance, the Nation's estuaries are under increasing threat by the many competing demands placed upon them. Estuaries in the NEP face numerous challenges, including over-enrichment of nutrients, loss of habitat, declines in fish and wildlife, and introduction of invasive species, causing severe declines in water quality, living resources and overall ecosystem health. According to the recent EPA National Coastal Condition Report describing the ecological and environmental conditions of U.S. coastal waters and estuary resources, the overall condition of our Nation's coastal waters is fair to poor, and 44 percent of estuarine habitats are impaired for human or aquatic life use.

The NEP offers an effective means to deal with these national problems. The flexible and collaborative nature of the NEP has allowed the local Estuary Programs to develop innovative approaches to address the problems facing estuarine systems, approaches uniquely tailored to local environmental conditions, and to the needs of local communities and constituencies. At the same time, the national struc-

ture provided by the NEP has facilitated the sharing of management approaches, technologies, and ideas that underscore this program's success. Indeed, the National Commission on Ocean Policy highlighted the NEP's focus "on bringing together stakeholders in particular areas that are in or approaching a crisis situation." Additionally, the Commission found "the assessment and planning process used by the NEP holds promise for the future of ecosystem-based management."

Reauthorizing the NEP is an important step in the process of addressing the threats to the health and stability of our Nation's estuaries, which remain one of our Nation's most important economic and environmental resources. The legislation introduced today would reauthorize funding for the NEP at \$35 million annually to provide the funds necessary for this program to succeed into the future. I look forward to working with my colleagues on reauthorization of the NEP in the months ahead.

I ask by unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2606

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL ESTUARY PROGRAM.

Section 320(i) of the Federal Water Pollution Control Act (33 U.S.C. 1330(i)) is amended by striking "2005" and inserting "2010".

UNANIMOUS CONSENT AGREEMENT—NOMINATION OF J. LEON HOLMES

Mr. FRIST. I ask unanimous consent that at 9:45 a.m., on Tuesday, July 6, the Senate proceed to executive session for the consideration of Calendar No. 165, the nomination of J. Leon Holmes to be U.S. district judge for the Eastern District of Arkansas. I further ask consent that there then be 6 hours of debate equally divided between the chairman and ranking member or their designees; provided further that following that debate the Senate proceed to a vote on the confirmation of the nomination with no intervening action or debate. I further ask consent that following the vote, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 676, 711, 713, 714, 716, 717, 718, 719, 721, 722, 723,

724, 726, 728, 730, and all nominations on the secretary's desk.

I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

NOMINATIONS

DEPARTMENT OF STATE

James Francis Moriarty, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Nepal.

Benjamin A. Gilman, of New York, to be a Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Deputy Representative of the United States of America to the United Nations.

Joseph D. Stafford III, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of The Gambia.

Lewis W. Lucke, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

R. Niels Marquardt, of California, a Career Member of the Senior Foreign Service, Class of Counselor to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

Charles P. Ries, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Greece.

Suzanne Hale, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federated States of Micronesia.

William R. Brownfield, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Bolivarian Republic of Venezuela.

Ralph Leo Boyce, Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Thailand.

John Marshall Evans, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Armenia.

Tom C. Korologos, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium.

Douglas L. McElhaney, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bosnia and Herzegovina.

William T. Monroe, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Bahrain.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

PN1645 Foreign Service nominations (173) beginning Jean Elizabeth Akers, and ending Jenifer Lynn Neidhart de Ortiz, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2004.

NOMINATIONS DISCHARGED

Mr. FRIST. Continuing in executive session, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of the following nominations: June Carter Perry, PN1548; Joyce Barr, PN1546; Barrie Walkley, PN1550; James McGee, PN1541, Cynthia Efird, PN1621; Jackson McDonald, PN1419; Christopher Dell, PN1629.

I further ask consent that the Senate proceed to their consideration, the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

June Carter Perry, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Lesotho.

Joyce A. Barr, of Washington, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Namibia.

R. Barrie Walkley, of California, a Career Member of the Senior Foreign Service, Class of Minister Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of Sao Tome and Principe.

James D. McGee, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Madagascar.

Cynthia G. Efird, of the District of Columbia, a Career Member of the Senior Foreign

Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Angola.

Jackson McDonald, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea.

Christopher William Dell, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zimbabwe.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate resumes legislative session.

AUTHORITY TO FILE

Mr. FRIST. I ask unanimous consent, notwithstanding the Senate's adjournment, committees be authorized to report legislative and executive matters on Wednesday, June 30, from 10 a.m. to 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. FRIST. I ask unanimous consent that during the adjournment of the Senate, the Senator from Virginia and the majority leader be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO MAKE APPOINTMENTS

Mr. FRIST. I ask unanimous consent, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or inter-parliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

COOPERATIVE RESEARCH AND TECHNOLOGY ENHANCEMENT ACT OF 2004

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 484, S. 2192.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2192) to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises.

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Madam President, I rise today to support passage of S. 2192, the

Cooperative Research and Technology Enhancement Act of 2004 or CREATE Act. I am pleased that the Senate is considering this important patent legislation. I would like to thank Senators LEAHY, KOHL, GRASSLEY, FEINGOLD and SCHUMER, for their work on, and cosponsorship of, this bill.

The CREATE Act responds to an important need of our inventive community. This act will encourage greater cooperation among universities, public research institutions and the private sector. It does so by enabling these parties to share freely information among researchers that are working under a joint research agreement to develop new technology. It also allows these entities, particularly universities, to structure their relationships with other research collaborators in a more flexible manner.

The CREATE Act has benefited significantly from the commendable work of our colleagues in the House. In particular, we take note of the House Report, H. Rep. 108-425, which accompanied passage of H.R. 2391, the House counterpart of S. 2192. The committee notes that the House report addresses a number of important issues related to the implementation of the act, and provides necessary guidance to the Patent and Trademark Office as to its responsibilities under the legislation.

In the interest of further transparency and guidance, and importantly to prevent the public from being subject to separate enforcement actions by owners of patentably indistinct patents, we offer the following guidance on some key aspects of this legislation. We believe that this guidance is entirely consistent with the policy objectives of the House Report, but explicate some of the most critical and complex aspects of the intended operation of the CREATE Act where multiple patents issue on the patentably indistinct inventions.

As the House report correctly notes, the CREATE Act will enable different parties to obtain and separately own patents with claims that are not patentably distinct—in other words, where the claim in one patent would be “obvious” in view of a claim in the other patent. The courts and the U.S. Patent and Trademark Office term this “nonstatutory” and “obviousness-type” double patenting. This is not the first time that Congress has amended the patent laws in a manner that has expanded opportunities for double patenting. The Patent Law Amendments Act of 1984 first created the opportunity for double patenting for patents issued to different inventors that were owned by one entity or which were commonly assigned. In the legislative history for the Patent Law Amendments Act of 1984, Congress indicated its expectation that any newly created opportunities for double patenting would be treated no differently than double patenting for patents issued to the same inventor. We do the same today with respect to the remedial provision in the CREATE Act, but discuss

the form of disclaimer that is required of the patent owner whenever double patenting exists.

At its core, the double patenting doctrine addresses the situation where multiple patents have issued with respect to claims in the different patents that meet one or more of the relationship tests set out by the courts. Double patenting can arise when the two involved patents are determined not to relate to independent and distinct inventions. It can also arise if a claim in a later-issued patent would not be novel with respect to a claim in a first-issued patent. A third type of double patenting—and perhaps the most common—is where a claim in a later-issued patent is obvious in view of a claim in a first-issued patent. Whatever the relationship that forms the basis for the double patenting, the current principles governing double patenting should be applied to all such situations involving the issuance of double patents where the provisions of the CREATE Act apply.

The double patenting doctrine exists as a matter of policy to prevent a multiplicity of patents claiming patentably indistinct inventions from becoming separately owned and enforced. Thus, it applies to situations where multiple patents have issued, even if the patents are filed on the same day, issue on the same day and expire on the same day. All that is required for double patenting to arise is that one or more claims in each of the involved patents is determined to represent double patenting under established principles of law. The double patenting doctrine can invalidate claims in any later or concurrently issued patent if those claims are determined to represent double patenting with respect to any of the claims in a first-issued patent. For clarity, any later or concurrently issued patent that creates double patenting can simply be termed a “patentably indistinct patent” with respect to the first-issued patent.

Invalidity of the patentably indistinct claims under the doctrine of double patenting can be avoided, however, if an appropriate disclaimer is filed in the patent containing those claims. Under existing practice in the U.S. Patent and Trademark Office, the disclaimer must be filed in the patent with the patentably indistinct claims and must reference the first-issued patent against which the disclaimer applies. Thus, the disclaimer only affects the ability to enforce the disclaimed patent, and historically has not affected the enforceability of the first-issued patent against which the disclaimer has been made. Accordingly, under existing double patenting principles, if the indistinct patent becomes separately owned, i.e., such that it can be separately enforced, the disclaimed patent is rendered invalid in accordance with the terms of the required disclaimer, while the first-issued patent's enforceability is unaffected.

Patents issued after enactment of the CREATE Act will be enforceable in the same manner and to the same extent as when patents are issued to a common owner or are subject to common assignment. One modification of existing disclaimer practice, however, is needed for double patenting to achieve its policy objectives where the CREATE Act applies. The CREATE Act will now permit patents with patentably indistinct claims to be separately owned, but remain valid. Heretofore, this separate ownership would have rendered the indistinct patent invalid. To protect the public interest, these separately owned patents must be subjected to a new form of disclaimer that will protect the public against separate actions for enforcement of both the first-issued patent and any patents with claims that are not patentably distinct over the claims of the first-issued patent.

Accordingly, in every situation where double patenting is created based upon revised section 103(c), the patentably indistinct patent must include a disclaimer that will require the owner of that patent to waive the right to enforce that patent separately from the first-issued patent. The disclaimer also must limit, as is required for all disclaimers related to double patenting, the disclaimed patent such that it can be enforced only during the term of the first-issued patent.

Additionally, the disclaimer required for the valid issuance of a patentably indistinct patent pursuant to the CREATE Act must apply to all owners of all involved patents, i.e., the owner of the patentably indistinct patents as well as any owners of any first-issued patents against which the disclaimer is made. In order for this to be the case, the CREATE Act effectively requires parties that separately own patents subject to the CREATE Act to enter into agreements not to separately enforce patents where double patenting exists and to join in any required disclaimer if the parties intend to preserve the validity of any patentably indistinct patent for which a disclaimer is required.

To give effect to this requirement, the disclaimer in the patentably indistinct patent must be executed by all involved patent owners, as the right to separately enforce the first-issued patent apart from the patentably indistinct patent cannot be avoided unless the owner of the first-issued patent has disclaimed its right to do so. If an enforcement action is brought with respect to a patentably indistinct patent, but the owner of the first-issued patent was not a party to the disclaimer, and had not disclaimed separate enforceability of the first-issued patent once an enforcement action had been commenced on the indistinct patent, the owner of the first-issued patent could not legally be prevented from bringing a later action for infringement against the same party absent disclaiming the right to do so. Thus, the disclaimer of the separate enforceability of an indis-

ting patent cannot be assured unless the owner of a second indistinct patent has an agreement with the owner of the first-owned patent prohibiting the right of separate enforcement. The CREATE Act will not require the owner of a first-issued patent or an indistinct patent to enforce any such patent. Rather, the prohibition against separate enforcement described above is necessary to address the sole policy objective of preventing different patent owners from separately enforcing a first-issued patent and a related indistinct patent.

Also as indicated in the House report, we expect the U.S. Patent and Trademark Office to take such steps as are necessary to implement the requirements of this act in the manner we have described. In particular, the Patent and Trademark Office should exercise its responsibility for determining the necessity for, and for requiring the submission and recording of, disclaimers in patent applications and to promulgate such regulations as are necessary including, *inter alia*, rules analogous to 37 CFR §1.321, that requires disclaimers in patent applications where double patenting exists. To meet the requirements of the act, the parties to the joint research agreement must agree to accept the conditions concerning common term and the prohibition against separate patent enforcement and all involved parties must agree to be signatories to any required terminal disclaimer. I do not believe any particular form need be followed to give effect to this requirement, and that the Office will address these issues pursuant to its implementation of the act.

The House indicated in its committee report that a joint research agreement may be evidenced by one or more writings. I note that evidence of a joint research agreement may take the form of cooperative research and development agreements, CRADAs, material transfer agreements MTAs, or other written contracts or multiple written documents or contracts covering various parties or aspects of the written agreement. As the House Committee indicated in its report, such writing or writings must demonstrate that a qualifying “joint research agreement” existed prior to the time the claimed invention was made and that the claimed invention was derived from activities performed by or on behalf of parties that acted within the scope of the agreement. Also, parties to a joint research agreement who seek to benefit from the Act must be identified in the application for a patent or an amendment thereto so the public will have full notice of those patents that have issued pursuant to the provisions of this Act.

As the House Judiciary Committee also noted in its report, the act, pursuant to section 3 of the act, pending patent applications could claim the benefit of the provisions of the act. Thus, an existing joint research agreement

existing prior to the date of enactment can be used to qualify an application to claim the benefits of the act. Such applications, i.e., those pending on the date of enactment of the act, however, must comply with all of the requirements of the Act, including not only the requirements for disclosure among the parties to the agreement, but also the applicable requirement for a terminal disclaimer. The terminal disclaimer obligations, i.e., that all parties to the joint research agreement consent to having any related patents the first-issued patent and patentably indistinct patents, be bound by the requirements of the Act and the disclaimer be executed by all the owners of such patents, shall provide a means for the U.S. Patent and Trademark Office to confirm that each party to an otherwise eligible joint research agreement that is cited to claim the benefits for an application pending as of the date of enactment of the act has consented to have the act so apply to that application. Thus, associated with any patent application pending on the date of enactment of the act, there will be written evidence of an agreement of the parties to the joint research agreement to affirmatively claim the benefits of, and to be bound by the requirements of, the CREATE Act, by the act of the parties to the joint research agreement recording evidence of their agreement in the same manner as evidence of documents that affect some interest in an application or patent are now recorded with the Patent and Trademark Office.

Before I yield, I would like to thank the cosponsors and their respective staffs for their work on this legislation. In particular, I commend Susan Davies, Jeff Miller, Dan Fine, Dave Jones, and Tom Sydnor for their hard work on this issue. Also, I extend my heartfelt gratitude to Katie Stahl for her hard work on this, and numerous other issues. I was informed today that she will be leaving the Judiciary Committee staff in a couple of weeks, and I want to take this opportunity to acknowledge publicly how sorely she will be missed.

Mr. LEAHY. I am pleased that today the Senate will pass the Cooperative Research and Technology Enhancement Act, the CREATE Act of 2004. As I have noted before, the United States Congress has a long history of strong intellectual property laws, and the Constitution charges us with the responsibility of crafting laws that foster innovation and ensure that creative works are guaranteed their rightful protections. This past March, I joined with Senator HATCH, Senator KOHL, and Senator FEINGOLD in introducing the CREATE Act, which will provide a needed remedy to one aspect of our nation's patent laws.

Our bill is a narrow one that promises to protect American jobs and encourage additional growth in America's information economy.

In 1980, Congress passed the Bayh-Dole Act, which encouraged private en-

titles and not-for-profits such as universities to form collaborative partnerships that aid innovation. Prior to the enactment of this law, universities were issued fewer than 250 patents each year. Thanks to the Bayh-Dole Act, the number of patents universities have been issued in more recent years has surpassed two thousand—adding billions of dollars annually to the US economy.

The CREATE Act corrects for a provision in the Bayh-Dole Act which, when read literally, runs counter to the intent of that legislation. In 1997, the United States Court of Appeals for the Federal Circuit ruled, in *Oddzon Products, Inc. v. Just Toys, Inc.*, that non-public information may in certain cases be considered "prior art"—a standard which generally prevents an inventor from obtaining a patent. The Oddzon ruling was certainly sound law, but it was not sound public policy, and as a result some collaborative teams have been unable to receive patents for their work. As a consequence, there is a deterrent from forming this type of partnership, which has proved so beneficial to universities, the private sector, the American worker, and the U.S. economy.

Recognizing Congress' intended purpose in passing the Bayh-Dole Act, the Federal Circuit invited Congress to better conform the language of the act to the intent of the legislation. The CREATE Act does exactly that by ensuring that non-public information is not considered "prior art" when the information is used in a collaborative partnership under the Bayh-Dole Act. The bill that the Senate is passing today also includes strict evidentiary burdens to ensure that the legislation is tailored narrowly so as only to achieve this goal that—although narrow—is vitally important.

I also wish to draw attention to Senator HATCH's thoughtful explication of some of the more complex issues surrounding the CREATE Act. I agree entirely with his comments, which I believe will prove useful for those seeking a background understanding of this legislation.

I wish to thank my colleagues for their support of this bill, and to thank in particular Senator HATCH, Senator KOHL, Senator FEINGOLD, Senator GRASSLEY, and Senator SCHUMER for their hard work in gaining this bill's passage.

Mr. FRIST. I further ask consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and any statements relating to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2192) was read the third time and passed, as follows:

S. 2192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cooperative Research and Technology Enhancement (CREATE) Act of 2004".

SEC. 2. COLLABORATIVE EFFORTS ON CLAIMED INVENTIONS.

Section 103(c) of title 35, United States Code, is amended to read as follows:

"(c)(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

"(2) For purposes of this subsection, subject matter developed by another person and a claimed invention shall be deemed to have been owned by the same person or subject to an obligation of assignment to the same person if—

"(A) the claimed invention was made by or on behalf of parties to a joint research agreement that was in effect on or before the date the claimed invention was made;

"(B) the claimed invention was made as a result of activities undertaken within the scope of the joint research agreement; and

"(C) the application for patent for the claimed invention discloses or is amended to disclose the names of the parties to the joint research agreement.

"(3) For purposes of paragraph (2), the term 'joint research agreement' means a written contract, grant, or cooperative agreement entered into by two or more persons or entities for the performance of experimental, developmental, or research work in the field of the claimed invention."

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall apply to any patent granted on or after the date of the enactment of this Act.

(b) SPECIAL RULE.—The amendments made by this Act shall not affect any final decision of a court or the United States Patent and Trademark Office rendered before the date of the enactment of this Act, and shall not affect the right of any party in any action pending before the United States Patent and Trademark Office or a court on the date of the enactment of this Act to have that party's rights determined on the basis of the provisions of title 35, United States Code, in effect on the day before the date of the enactment of this Act.

PROTECTING INTELLECTUAL RIGHTS AGAINST THEFT AND EXPROPRIATION ACT OF 2004

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 485, S. 2237.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2237) to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Madam President, today the Senate has taken a strong step forward to encourage the distribution of music, films, books, and software on the Internet. For too long the very ease of duplication and distribution

that is the hallmark of digital content has meant that piracy of that content is just as easy. The very real—and often realized—threat that creative works will simply be duplicated and distributed freely online has restricted, rather than enhanced, the amount and variety of creative works one can receive over the Internet.

There is no single solution to the problem of copyright infringement. Part of combating piracy includes offering a legal alternative to it. Another important part is enforcing the rights of copyright owners. We have already taken some steps to do this. The Allen-Leahy Amendment to the Foreign Operations Appropriations Bill, on Combating Piracy of U.S. Intellectual Property in Foreign Countries, provided \$2.5 million for the Department of State to assist foreign countries in combating piracy of U.S. copyrighted works. By providing equipment and training to law enforcement officers, the measure will help those countries that are not members of the OECD—Organization for Economic Cooperation & Development—to enforce intellectual property protections.

The PIRATE Act represents another critically important part of the attack. It will bring the resources and expertise of the United States Attorneys' Offices to bear on wholesale copyright infringers. For too long these attorneys have been hindered in their pursuit of pirates, by the fact that they were limited to bringing criminal charges with high burdens of proof. In the world of copyright, a criminal charge is unusually difficult to prove because the defendant must have known that his conduct was illegal and must have willfully engaged in the conduct anyway. For this reason prosecutors can rarely justify bringing criminal charges, and copyright owners have been left alone to fend for themselves, defending their rights only where they can afford to do so. In a world in which a computer and an Internet connection are all the tools you need to engage in massive piracy, this is an intolerable predicament.

The PIRATE act responds to this problem by allowing the United States to continue to enforce existing criminal penalties for intellectual property violations, while providing new civil copyright enforcement remedies to ensure that American creativity and expression continue to thrive. The availability of civil penalties allows prosecutors to help curtail widespread piracy, and at the same time recognizes that handcuffs for infringers is often not the appropriate response.

Although we are debating several divisive issues during this Congress, I am pleased to see that we can all agree that the promise of the digital age can only be fulfilled if we empower our Federal prosecutors to protect the important rights enshrined in the Copyright Act. Senators HATCH, SCHUMER, ALEXANDER and I recognize this need, and I thank them for working with me to produce this important, bipartisan piece of legislation.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed with no intervening action or debate and any statements relating to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2237) was read the third time and passed, as follows:

S. 2237

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Intellectual Rights Against Theft and Expropriation Act of 2004".

SEC. 2. AUTHORIZATION OF CIVIL COPYRIGHT ENFORCEMENT BY ATTORNEY GENERAL.

(a) IN GENERAL.—Chapter 5 of title 17, United States Code, is amended by inserting after section 506 the following:

"§506a. Civil penalties for violations of section 506

"(a) IN GENERAL.—The Attorney General may commence a civil action in the appropriate United States district court against any person who engages in conduct constituting an offense under section 506. Upon proof of such conduct by a preponderance of the evidence, such person shall be subject to a civil penalty under section 504 which shall be in an amount equal to the amount which would be awarded under section 3663(a)(1)(B) of title 18 and restitution to the copyright owner aggrieved by the conduct.

"(b) OTHER REMEDIES.—

"(1) IN GENERAL.—Imposition of a civil penalty under this section does not preclude any other criminal or civil statutory, injunctive, common law or administrative remedy, which is available by law to the United States or any other person;

"(2) OFFSET.—Any restitution received by a copyright owner as a result of a civil action brought under this section shall be offset against any award of damages in a subsequent copyright infringement civil action by that copyright owner for the conduct that gave rise to the civil action brought under this section."

(b) DAMAGES AND PROFITS.—Section 504 of title 17, United States Code, is amended—

(1) in subsection (b)—

(A) in the first sentence—

(i) by inserting ", or the Attorney General in a civil action," after "The copyright owner"; and

(ii) by striking "him or her" and inserting "the copyright owner"; and

(B) in the second sentence by inserting "; or the Attorney General in a civil action," after "the copyright owner"; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting ", or the Attorney General in a civil action," after "the copyright owner"; and

(B) in paragraph (2), by inserting ", or the Attorney General in a civil action," after "the copyright owner".

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 17, United States Code, is amended by inserting after the item relating to section 506 the following:

"506a. Civil penalties for violation of section 506."

SEC. 3. AUTHORIZATION OF FUNDING FOR TRAINING AND PILOT PROGRAM.

(a) TRAINING AND PILOT PROGRAM.—Not later than 180 days after enactment of this Act, the Attorney General shall develop a program to ensure effective implementation and use of the authority for civil enforcement of the copyright laws by—

(1) establishing training programs, including practical training and written materials, for qualified personnel from the Department of Justice and United States Attorneys Offices to educate and inform such personnel about—

(A) resource information on intellectual property and the legal framework established both to protect and encourage creative works as well as legitimate uses of information and rights under the first amendment of the United States Constitution;

(B) the technological challenges to protecting digital copyrighted works from online piracy;

(C) guidance on and support for bringing copyright enforcement actions against persons engaging in infringing conduct, including model charging documents and related litigation materials;

(D) strategic issues in copyright enforcement actions, including whether to proceed in a criminal or a civil action;

(E) how to employ and leverage the expertise of technical experts in computer forensics;

(F) the collection and preservation of electronic data in a forensically sound manner for use in court proceedings;

(G) the role of the victim copyright owner in providing relevant information for enforcement actions and in the computation of damages; and

(H) the appropriate use of injunctions, impoundment, forfeiture, and related authorities in copyright law;

(2) designating personnel from at least 4 United States Attorneys Offices to participate in a pilot program designed to implement the civil enforcement authority of the Attorney General under section 506a of title 17, United States Code, as added by this Act; and

(3) reporting to Congress annually on—

(A) the use of the civil enforcement authority of the Attorney General under section 506a of title 17, United States Code, as added by this Act; and

(B) the progress made in implementing the training and pilot programs described under paragraphs (1) and (2) of this subsection.

(b) ANNUAL REPORT.—The report under subsection (a)(3) may be included in the annual performance report of the Department of Justice and shall include—

(1) with respect to civil actions filed under subsection 506a of title 17, United States Code, as added by this Act—

(A) the number of investigative matters received by the Department of Justice and United States Attorneys Offices;

(B) the number of defendants involved in those matters;

(C) the number of civil actions filed and the number of defendants involved;

(D) the number of civil actions resolved or terminated;

(E) the number of defendants involved in those civil actions;

(F) the disposition of those civil actions, including whether the civil actions were settled, dismissed, or resolved after a trial;

(G) the dollar value of any civil penalty imposed and the amount remitted to any copyright owner; and

(H) other information that the Attorney General may consider relevant to inform Congress on the effective use of the civil enforcement authority;

(2) a description of the training program and the number of personnel who participated in the program; and

(3) the locations of the United States Attorneys Offices designated to participate in the pilot program.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$2,000,000 for fiscal year 2005 to carry out this section.

ARTISTS' RIGHTS AND THEFT PREVENTION ACT OF 2004

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 482, S. 1932.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1932) to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibit facility, to provide criminal and civil penalties for unauthorized distribution of commercial prerelease copyrighted works, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following: (Strike the part shown in black brackets and insert the part shown in italic.)

S. 1932

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

[This Act may be cited as the "Artists' Rights and Theft Prevention Act of 2003" or the "ART Act".]

SEC. 2. CONGRESSIONAL FINDINGS.

[Congress finds the following:

[(1) Intellectual property, among other things, represents the ideas, imagination and creativity needed to innovate long before a product is brought to market. As such, it is fundamental to the continued economic, social, and cultural development of society and deserves the protection of our laws.

[(2) Music, film, software, and all forms of intellectual property represent one of the strongest and most significant sectors of the United States economy, as demonstrated by the fact that these industries

[(A) accounted for more than 5 percent of the United States Gross Domestic Product (GDP), or \$535,100,000,000 in 2001;

[(B) employ almost 6 percent of all United States employment; and

[(C) led all major industry sectors in foreign sales and exports in 2001.

[(3) In an attempt to combat the growing use of the Internet and technology for the illegal reproduction and distribution of copyrighted materials, Congress unanimously passed and President Clinton signed the "No Electronic Theft" or "NET" Act in 1997. The NET Act is designed to strengthen copyright and trademark laws and to permit the prosecution of individuals in cases involving large scale illegal reproduction or distribution of copyrighted works where the infringers act willfully.

[(4) Under the NET Act's requirement of economic harm, investigations by law enforcement of copyright infringements are particularly resource intensive and pose significant challenges. In the interest of broader deterrence and in order to facilitate the prosecution of particularly egregious copyright violations, it is important to recognize that a significant level of economic harm can be reached by the distribution of so called "prelease" commercial works.

[(5) The use of camcorders and other audiovisual recording devices in movie theaters to make illegal copies of films is posing a serious threat to the motion picture industry. According to a recent industry study, 92.4 percent of the first copies of movies available for download on the Internet originate from camcorders.

[(6) Given the difficulty of enforcement, online theft of music, film, software, and all forms of intellectual property continues to rise. The negative effects on this large segment of the United States economy are significant, as exemplified by almost a 31 percent drop in sales for the music industry from mid-year 2000 to mid-year 2003, which even critics of the industry acknowledge to be heavily influenced by the rampant distribution of pirated music.

[(7) Federal legislation is necessary and warranted to combat the most egregious forms of online theft of intellectual property and its significant, negative economic impact on the United States economy because

[(A) Article 1, section 8 of the Constitution confers upon Congress the power "[t]o promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries," as well as the power "[t]o regulate Commerce with foreign nations, and among the several States.";

[(B) the importance of the music, film, software and other intellectual property-based industries to the overall health of the United States economy is well documented and significant; and

[(C) theft and distribution of intellectual property across State and international lines occurs on a regular basis.

SEC. 3. CRIMINAL PENALTIES FOR UNAUTHORIZED RECORDING OF MOTION PICTURES IN A MOTION PICTURE EXHIBITION FACILITY.

[(a) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding after section 2319A the following new section:

["§2319B. Unauthorized recording of motion pictures in a motion picture exhibition facility

["(a) OFFENSE.—Whoever, without the consent of the copyright owner, knowingly uses or attempts to use an audiovisual recording device in a motion picture exhibition facility to transmit or make a copy of a motion picture or other audiovisual work protected under title 17, United States Code, or any part thereof, in a motion picture exhibition facility shall—

["(1) be imprisoned for not more than 3 years, fined under this title, or both; or

["(2) if the offense is a second or subsequent offense, be imprisoned for no more than 6 years, fined under this title, or both.

["(b) FORFEITURE AND DESTRUCTION.—When a person is convicted of a violation of subsection (a), the court in its judgment of conviction shall, in addition to any penalty provided, order the forfeiture and destruction or other disposition of all unauthorized copies of motion pictures or other audiovisual works protected under title 17, United States Code, or parts thereof, and any audiovisual recording devices or other equipment used in connection with the offense.

["(c) AUTHORIZED ACTIVITIES.—This section does not prevent any lawfully authorized investigative; protective, or intelligence activity by an officer, agent, or employee of the United States, a State, or a political subdivision of a State, or a person acting pursuant to a contract with the United States, a State, or a political subdivision of a State.

["(d) VICTIM IMPACT STATEMENT.—

["(1) IN GENERAL.—During the preparation of the presentence report pursuant to rule 32(c) of the Federal Rules of Criminal Procedure, victims of an offense under this section shall be permitted to submit to the probation officer a victim impact statement that identifies the victim of the offense and the extent and scope of the injury and loss suffered by the victim, including the estimated economic impact of the offense on that victim.

["(2) CONTENTS.—A victim impact statement submitted under this subsection shall include—

["(A) producers and sellers of legitimate works affected by conduct involved in the offense;

["(B) holders of intellectual property rights in the works described in subparagraph (A); and

["(C) the legal representatives of such producers, sellers, and holders.

["(e) DEFINITIONS.—As used in this section, the following definitions shall apply:

["(1) AUDIOVISUAL WORK, COPY, AND MOTION PICTURE.—The terms 'audiovisual work', 'copy', and 'motion picture' have, respectively, the meanings given those terms in section 101 of title 17, United States Code.

["(2) AUDIOVISUAL RECORDING DEVICE.—The term 'audiovisual recording device' means a digital or analog photographic or video camera, or any other technology capable of enabling the recording or transmission of a copyrighted motion picture or other audiovisual work, or any part thereof, regardless of whether audiovisual recording is the sole or primary purpose of the device.

["(3) MOTION PICTURE EXHIBITION FACILITY.—The term 'motion picture exhibition facility' means any theater, screening room, lobby, indoor or outdoor screening venue, ballroom, or other premises where copyrighted motion pictures or other audiovisual works are publicly exhibited, regardless of whether an admission fee is charges.".

[(b) CHAPTER ANALYSIS.—The chapter analysis for chapter 113 of title 18, United States Code, is amended by inserting after the item relating to section 2319A the following:

["2319B. Unauthorized recording of motion pictures in a motion picture exhibition facility.".

SEC. 4. CRIMINAL INFRINGEMENT OF A COMMERCIAL PRERELEASE COPYRIGHTED WORK.

[Section 2319 of title 18, United States Code, is amended—

[(1) by redesignating subsection (e) as subsection (f); and

[(2) by adding after subsection (d) the following:

["(e)(1) For purposes of subsections (b) and (c) of this section and of section 506(a) of title 17, United States Code, in the case of a computer program, a nondramatic musical work, a motion picture or other audio-visual work, or a sound recording protected under title 17, United States Code, that is being prepared for commercial distribution, it shall be conclusively presumed that a person distributed at least 10 copies or phonorecords of the work, and that such copies or phonorecords have a total retail value of more than \$2,500, if that person—

["(A) distributes such work by making it available on a computer network accessible to members of the public who are able to reproduce the work through such access without the express consent of the copyright owner; and

["(B) knew or should have known that the work was intended for commercial distribution.

["(2) For purposes of paragraph (1), a work protected under title 17, United States Code, is being prepared for commercial distribution—

["(A) when at the time of unauthorized distribution, the copyright owner had a reasonable expectation of substantial commercial distribution and the work had not yet been so distributed; or

["(B) in the case of a motion picture, protected under title 17, United States Code, when at the time of unauthorized distribution, the work had been made available for

viewing in motion picture exhibition facilities, but had not been made available to the general public in the United States in a format intended to permit viewing outside motion picture exhibition facilities as defined in section 2319B.”.

[SEC. 5. CIVIL REMEDIES FOR INFRINGEMENT OF A COMMERCIAL PRERELEASE COPYRIGHTED WORK.]

[Section 504(b) of title 17, United States Code, is amended—

“(1) by striking the first instance of “The copyright” and inserting the following:

“(1) IN GENERAL. The copyright”; and (2) by adding at the end the following:

“(2) DAMAGE FOR PRERELEASE INFRINGEMENT.—

“(A) IN GENERAL. In the case of a computer program, a non-dramatic musical work, a motion picture or other audiovisual work, or a sound recording protected under title 17, United States Code, that is being prepared for commercial distribution, actual damages shall be presumed conclusively to be no less than \$2,500 per infringement, if a person—

“(i) distributes such work by making it available on a computer network accessible to members of the public who are able to reproduce the work through such access without the express consent of the copyright owner; and

“(ii) knew or should have known that the work was intended for commercial distribution.

“(B) WORK PREPARED FOR DISTRIBUTION. For purposes of subparagraph (A), a work protected under this title is being prepared for commercial distribution—

“(i) when at the time of unauthorized distribution, the copyright owner had a reasonable expectation of substantial commercial distribution and the work had not yet been so distributed; or

“(ii) in the case of a motion picture, protected under this title, when at the time of unauthorized distribution, the work had been made available for viewing in motion picture exhibition facilities, but had not been made available to the general public in the United States in a format intended to permit viewing outside motion picture exhibition facilities as defined in section 2319B of title 18.”.

SEC. 6. SENTENCING GUIDELINES.

“(a) IN GENERAL. Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission shall—

“(1) review the Federal sentencing guidelines with respect to offenses involving the illegal reproduction and distribution of copyrighted works in violation of Federal law, including violations of section 2319 and section 2319B of title 18, United States Code;

“(2) amend the Federal sentencing guidelines, as necessary, to provide for increased penalties for offenses involving the illegal reproduction and distribution of works protected under title 17, United States Code, in a manner that reflects the serious nature of, and need to deter, such offenses;

“(3) submit a report to Congress that details its findings and amendments; and

“(4) take such other action that the Commission considers necessary to carry out this Act.

“(b) CONSULTATION.—In carrying out this section, the United States Sentencing Commission shall seek input from the Department of Justice, copyright owners, and other interested parties.

[SEC. 7. AUTHORIZATION.]

[There is authorized to be appropriated to the Department of Justice an additional \$5,000,000 for each of fiscal years 2005, 2006, 2007, 2008, and 2009 to prosecute violations of section 2319 of title 18, United States Code.]

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Artists’ Rights and Theft Prevention Act of 2004” or the “ART Act”.

SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds the following:

(1) Intellectual property—

(A) represents the ideas, imagination and creativity needed to innovate long before a product is brought to market;

(B) is fundamental to the continued economic, social, and cultural development of society; and

(C) deserves the protection of our laws.

(2) Music, film, software, and all other forms of intellectual property represent one of the strongest and most significant sectors of the United States economy, as demonstrated by the fact that these industries—

(A) accounted for more than 5 percent of the United States Gross Domestic Product, or \$535,100,000,000 in 2001;

(B) represent almost 6 percent of all United States employment; and

(C) led all major industry sectors in foreign sales and exports in 2001.

(3) In an attempt to combat the growing use of the Internet and technology for the illegal reproduction and distribution of copyrighted materials, Congress unanimously passed and President Clinton signed the “No Electronic Theft (NET) Act” in 1997. The NET Act is designed to strengthen copyright and trademark laws and to permit the prosecution of individuals in cases involving large-scale illegal reproduction or distribution of copyrighted works where the infringers act willfully.

(4) Under the No Electronic Theft (NET) Act’s economic harm requirement, investigations by law enforcement of copyright infringements are particularly resource intensive and pose significant challenges. In the interest of broader deterrence and in order to facilitate the prosecution of particularly egregious copyright violations, it is important to recognize that a significant level of economic harm can be reached by the distribution of prerelease commercial works.

(5) The use of camcorders and other audiovisual recording devices in movie theaters to make illegal copies of films is posing a serious threat to the motion picture industry. According to a recent industry study, 92.4 percent of the first copies of movies available for download on the Internet originate from camcorders.

(6) Given the difficulty of enforcement, online theft of music, film, software, and all forms of intellectual property continues to rise. The negative effects on this large segment of the United States economy are significant, as exemplified by almost a 31 percent drop in sales for the music industry from the middle of 2000 to the middle of 2003.

(7) Federal legislation is necessary and warranted to combat the most egregious forms of online theft of intellectual property and its significant, negative economic impact on the United States economy because—

(A) Article 1, section 8 of the United States Constitution gives Congress the power “[t]o promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries,” as well as the power “[t]o regulate Commerce with foreign nations, and among the several States.”;

(B) the importance of the music, film, software and other intellectual property-based industries to the overall health of the United States economy is well documented and significant; and

(C) theft and unauthorized distribution of intellectual property across State and international lines occurs on a regular basis.

SEC. 3. CRIMINAL PENALTIES FOR UNAUTHORIZED RECORDING OF MOTION PICTURES IN A MOTION PICTURE EXHIBITION FACILITY.

(a) IN GENERAL.—Chapter 113 of title 18, United States Code, is amended by adding after section 2319A the following new section:

“§2319B. Unauthorized recording of motion pictures in a motion picture exhibition facility

“(a) OFFENSE.—Any person who, without the authorization of the copyright owner, knowingly uses or attempts to use an audiovisual recording device to transmit or make a copy of a motion picture or other audiovisual work protected under title 17, or any part thereof, from a performance of such work in a motion picture exhibition facility, shall—

“(1) be imprisoned for not more than 3 years, fined under this title, or both; or

“(2) if the offense is a second or subsequent offense, be imprisoned for no more than 6 years, fined under this title, or both.

“(b) FORFEITURE AND DESTRUCTION.—When a person is convicted of a violation of subsection (a), the court in its judgment of conviction shall, in addition to any penalty provided, order the forfeiture and destruction or other disposition of all unauthorized copies of motion pictures or other audiovisual works protected under title 17, or parts thereof, and any audiovisual recording devices or other equipment used in connection with the offense.

“(c) AUTHORIZED ACTIVITIES.—This section does not prevent any lawfully authorized investigative, protective, or intelligence activity by an officer, agent, or employee of the United States, a State, or a political subdivision of a State, or a person acting under a contract with the United States, a State, or a political subdivision of a State.

“(d) IMMUNITY FOR THEATERS.—With reasonable cause, the owner or lessee of a facility where a motion picture is being exhibited, the authorized agent or employee of such owner or lessee, the licensor of the motion picture being exhibited, or the agent or employee of such licensor—

“(1) may detain, in a reasonable manner and for a reasonable time, any person suspected of a violation of this section for the purpose of questioning or summoning a law enforcement officer; and

“(2) shall not be held liable in any civil or criminal action arising out of a detention under paragraph (1).

“(e) VICTIM IMPACT STATEMENT.—

“(1) IN GENERAL.—During the preparation of the presentence report under rule 32(c) of the Federal Rules of Criminal Procedure, victims of an offense under this section shall be permitted to submit to the probation officer a victim impact statement that identifies the victim of the offense and the extent and scope of the injury and loss suffered by the victim, including the estimated economic impact of the offense on that victim.

“(2) CONTENTS.—A victim impact statement submitted under this subsection shall include—

“(A) producers and sellers of legitimate works affected by conduct involved in the offense;

“(B) holders of intellectual property rights in the works described in subparagraph (A); and

“(C) the legal representatives of such producers, sellers, and holders.

“(f) DEFINITIONS.—In this section, the following definitions shall apply:

“(1) TITLE 17 DEFINITIONS.—The terms ‘audiovisual work’, ‘copy’, ‘copyright owner’, ‘motion picture’, ‘motion picture exhibition facility’, and ‘transmit’ have, respectively, the meanings given those terms in sections 101 of title 17.

“(2) AUDIOVISUAL RECORDING DEVICE.—The term ‘audiovisual recording device’ means a digital or analog photographic or video camera, or any other technology or device capable of enabling the recording or transmission of a copyrighted motion picture or other audiovisual

work, or any part thereof, regardless of whether audiovisual recording is the sole or primary purpose of the device.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 113 of title 18, United States Code, is amended by inserting after the item relating to section 2319A the following:

“2319B. Unauthorized recording of motion pictures in a motion picture exhibition facility.”

“(c) **DEFINITION.**—Section 101 of title 17, United States Code, is amended by inserting after the definition of “Motion pictures” the following:

“The term ‘motion picture exhibition facility’ means a movie theater, screening room, or other venue that is being used primarily for the exhibition of a copyrighted motion picture, if such exhibition is open to the public or is made to an assembled group of viewers outside of a normal circle of a family and its social acquaintances.”

SEC. 4. CRIMINAL INFRINGEMENT OF A WORK BEING PREPARED FOR COMMERCIAL DISTRIBUTION.

(a) **PROHIBITED ACTS.**—Section 506(a) of title 17, United States Code, is amended to read as follows:

“(a) **CRIMINAL INFRINGEMENT.**—

“(1) **IN GENERAL.**—Any person who willfully infringes a copyright shall be punished as provided under section 2319 of title 18, if the infringement was committed—

“(A) for purposes of commercial advantage or private financial gain;

“(B) by the reproduction or distribution, including by electronic means, during any 180-day period, of 1 or more copies or phonorecords of 1 or more copyrighted works, which have a total retail value of more than \$1,000; or

“(C) by the distribution of a work being prepared for commercial distribution, by making it available on a computer network accessible to members of the public if such person knew or should have known that the work was intended for commercial distribution.

“(2) **EVIDENCE.**—For purposes of this subsection, evidence of reproduction or distribution of a copyrighted work, by itself, shall not be sufficient to establish willful infringement of a copyright.

“(3) **DEFINITION.**—In this subsection, the term ‘work being prepared for commercial distribution’ means—

“(A) a computer program, a musical work, a motion picture or other audiovisual work, or a sound recording, if at the time of unauthorized distribution—

“(i) the copyright owner has a reasonable expectation of commercial distribution; and

“(ii) the copies or phonorecords of the work have not been commercially distributed; or

“(B) a motion picture, if at the time of unauthorized distribution, the motion picture—

“(i) has been made available for viewing in a motion picture exhibition facility; and

“(ii) has not been made available in copies for sale to the general public in the United States in a format intended to permit viewing outside a motion picture exhibition facility.”

(b) **CRIMINAL PENALTIES.**—Section 2319 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “Whoever” and inserting “Any person who”; and

(B) by striking “and (c) of this section” and inserting “, (c), and (d)”; and

(2) in subsection (b), by striking “section 506(a)(1)” and inserting “section 506(a)(1)(A);

(3) in subsection (c), by striking “section 506(a)(2) of title 17, United States Code” and inserting “section 506(a)(1)(B) of title 17”; and

(4) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(5) by adding after subsection (c) the following:

“(d) Any person who commits an offense under section 506(a)(1)(C) of title 17—

“(1) shall be imprisoned not more than 3 years, fined under this title or both;

“(2) shall be imprisoned not more than 5 years, fined under this title, or both, if the offense was committed for purposes of commercial advantage or private financial gain;

“(3) shall be imprisoned not more than 6 years, fined under this title, or both, if the offense is a second or subsequent offense; and

“(4) shall be imprisoned not more than 10 years, fined under this title, or both, if the offense is a second or subsequent offense under paragraph (2).”; and

(6) in subsection (f), as redesignated—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(3) the term ‘financial gain’ has the meaning given the term in section 101 of the title 17; and

“(4) the term ‘work being prepared for commercial distribution’ has the meaning given the term in section 506(a) of title 17.”

SEC. 5. CIVIL REMEDIES FOR INFRINGEMENT OF A WORK BEING PREPARED FOR COMMERCIAL DISTRIBUTION.

(a) **PREREGISTRATION.**—Section 408 of title 17, United States Code, is amended by adding at the end the following:

“(f) **PREREGISTRATION OF WORKS BEING PREPARED FOR COMMERCIAL DISTRIBUTION.**—

“(1) **RULEMAKING.**—Not later than 180 days after the date of enactment of this Act, the Register of Copyrights shall issue regulations to establish procedures for preregistration of a work that is being prepared for commercial distribution and has not been published.

“(2) **CLASS OF WORKS.**—The regulations established under paragraph (1) shall permit preregistration for any work that is in a class of works that the Register determines has had a history of infringement prior to authorized commercial distribution.

“(3) **APPLICATION FOR REGISTRATION.**—Not later than 3 months after the first publication of the work, the applicant shall submit to the Copyright Office—

“(A) an application for registration of the work;

“(B) a deposit; and

“(C) the applicable fee.

“(4) **EFFECT OF UNTIMELY APPLICATION.**—An action for infringement under this chapter shall be dismissed, and no award of statutory damages or attorney fees shall be made for a preregistered work, if the items described in paragraph 3 are not submitted to the Copyright Office in proper form within the earlier of—

“(A) 3 months after the first publication of the work; or

“(B) 1 month after the copyright owner has learned of the infringement.”

(b) **INFRINGEMENT ACTIONS.**—Section 411(a) of title 17, United States Code, is amended by inserting “preregistration or” after “shall be instituted until”.

(c) **EXCLUSION.**—Section 412 of title 17, United States Code, is amended by inserting “, an action for infringement of the copyright of a work that has been preregistered under section 408(f) before the commencement of the infringement” after “section 106A(a)”.

SEC. 6. FEDERAL SENTENCING GUIDELINES.

(a) **REVIEW AND AMENDMENT.**—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of intellectual property rights crimes, including any offense under—

(1) section 506, 1201, or 1202 of title 17, United States Code; or

(2) section 2318, 2319, 2319A, 2319B, or 2320 of title 18, United States Code.

(b) **AUTHORIZATION.**—The United States Sentencing Commission may amend the Federal sentencing guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

(c) **RESPONSIBILITIES OF UNITED STATES SENTENCING COMMISSION.**—In carrying out this subsection, the United States Sentencing Commission shall—

(1) take all appropriate measures to ensure that the Federal sentencing guidelines and policy statements described in subsection (a) are sufficiently stringent to deter, and adequately reflect the nature of, intellectual property rights crimes;

(2) determine whether to provide a sentencing enhancement for those convicted of the offenses described in subsection (a), if the conduct involves the display, performance, publication, reproduction, or distribution of a copyrighted work before it has been authorized by the copyright owner, whether in the media format used by the infringing party or in any other media format;

(3) determine whether the scope of “uploading” set forth in application note 3 of section 2B5.3 of the Federal sentencing guidelines is adequate to address the loss attributable to people who broadly distribute copyrighted works without authorization over the Internet; and

(4) determine whether the sentencing guidelines and policy statements applicable to the offenses described in subsection (a) adequately reflect any harm to victims from copyright infringement if law enforcement authorities cannot determine how many times copyright material has been reproduced or distributed.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appointed to the Department of Justice \$5,000,000 for each of the fiscal years 2005, 2006, 2007, 2008, and 2009 to prosecute violations of intellectual property rights as set forth under sections 2318, 2319, 2319A, 2319B, and 2320 of title 18, United States Code.

Mr. LEAHY. Madam President, I am glad that the Senate can today pass the ART Act, a piece of legislation that will help protect America's movies from a form of piracy that has become all too prevalent. This legislation will provide law enforcement with another important tool in fighting the harms wreaked by intellectual property theft, which robs our innovators—not to mention all those working behind the scenes—of compensation owed to them for producing films that carry American culture around the globe. The Motion Picture Association of America estimates that the movie industry loses \$3 billion worldwide to piracy each and every year.

Too often, we think of movie piracy as a disease whose symptoms are manifest only in foreign territories. While it is true that much of the movie industry's losses occur due to lax intellectual property enforcement in countries where the authorities are either ill-equipped or disinclined to enforce creators' rights, there is much we can do in this country to get our own IP house in order.

I appreciate that Senator HATCH, Senator FEINSTEIN, and Senator CORNYN have been so willing to address my concerns that the bill as introduced might inadvertently have a negative impact on the TEACH Act. In the 107th Congress, Senator HATCH and I worked

to pass the TEACH Act, which ensured that educators could use limited portions of dramatic literary and musical works, audiovisual works, and sound recordings, in addition to the complete versions of non-dramatic literary and musical works that were already permitted, and that they could use the Internet to do so.

I also appreciate my colleagues' willingness to eliminate the presumptions in the criminal liability provisions, and to take up the Copyright Office's creative ideas for addressing pre-release works.

Were it not for their willingness to address these concerns, I would not have been able to offer my support for this bill. I thank my colleagues for their assurances as well as for their hard work in gaining passage of this important legislation.

Mr. FRIST. I ask unanimous consent that the committee substitute amendment be adopted, the bill, as amended, be read the third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1932), as amended, was read the third time, and passed.

SERVITUDE AND EMANCIPATION ARCHIVAL RESEARCH CLEARINGHOUSE ACT OF 2005

Mr. FRIST. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 589, S. 1292.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1292) to establish a servitude and emancipation archival research clearinghouse in the National Archives.

There being no objection, the Senate proceeded to consider the bill had been reported from the Committee on Governmental Affairs, with amendments, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

S. 1292

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Servitude and Emancipation Archival Research Clearinghouse Act of 2003" or the "SEARCH Act of 2003".

SEC. 2. ESTABLISHMENT OF DATABASE.

(a) IN GENERAL.—The Archivist of the United States shall establish, as a part of the National Archives, a national database consisting of historic records of servitude and emancipation in the United States to assist African Americans in researching their genealogy.

(b) MAINTENANCE.—The database established by this Act shall be maintained by the National Historical Publications and Records Commission.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—
(1) \$5,000,000 to establish the national database authorized by this Act; [and]

(2) *such sums as are necessary to operate and maintain the national database authorized by this Act; and*

[(2)](3) \$5,000,000 to provide grants to States [and colleges and universities.] *colleges and universities, libraries, and museums to preserve local records of servitude and emancipation.*

Mr. FRIST. Madam President, I ask unanimous consent that the committee amendments be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (S. 1292), as amended, was read the third time and passed, as follows:

S. 1292

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Servitude and Emancipation Archival Research Clearinghouse Act of 2004" or the "SEARCH Act of 2004".

SEC. 2. ESTABLISHMENT OF DATABASE.

(a) IN GENERAL.—The Archivist of the United States shall establish, as a part of the National Archives, a national database consisting of historic records of servitude and emancipation in the United States to assist African Americans in researching their genealogy.

(b) MAINTENANCE.—The database established by this Act shall be maintained by the National Historical Publications and Records Commission.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—
(1) \$5,000,000 to establish the national database authorized by this Act;

(2) *such sums as are necessary to operate and maintain the national database authorized by this Act; and*

(3) \$5,000,000 to provide grants to States, colleges and universities, libraries, and museums to preserve local records of servitude and emancipation.

IDENTITY THEFT PENALTY ENHANCEMENT ACT

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1731, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1731) to amend title 18, United States Code, to establish penalties for aggravated identity theft, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Madam President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1731) was read the third time and passed.

MEASURE READ THE FIRST TIME—H.R. 4359

Mr. FRIST. Madam President, I understand that H.R. 4359 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4359) to amend the Internal Revenue Code of 1986 to increase the child tax credit.

Mr. FRIST. Madam President, I ask for its second reading, and in order to place the bill on the calendar under provisions of rule XIV, I object to further proceedings on this matter.

The PRESIDING OFFICER. Objection is heard. The bill will receive its second reading on the next legislative day.

MEASURE PLACED ON THE CALENDAR—H.R. 1218

Mr. FRIST. Madam President, I understand there is a bill at the desk which is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill for the second time by title.

The legislative clerk read as follows:

A bill (H.R. 1218) to require contractors with the Federal Government to possess a satisfactory record of integrity and business ethics.

Mr. FRIST. Madam President, I object to further proceedings on the measure at this time in order to place the bill on the calendar under the provisions of rule XIV.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

TRIBAL FOREST PROTECTION ACT OF 2004

Mr. FRIST. Madam President, I ask unanimous consent that the Senate now proceed to consideration of H.R. 3846 which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3846) to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3846) was read the third time and passed.

ORDERS FOR TUESDAY, JULY 6, 2004

Mr. FRIST. I ask unanimous consent when the Senate completes its business today, it adjourn until 9:45 a.m. on Tuesday, July 6. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to executive session as provided earlier.

I further ask consent that the Senate recess from 12:30 until 2:15 p.m. for the weekly party luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. On Tuesday, July 6, the Senate will be in executive session for the consideration of a district court nomination. We would expect a vote on the nomination Tuesday afternoon between 5 and 5:45. We will also begin consideration of the class action fairness legislation. I encourage Members to be ready Tuesday evening and through the week for discussion on the class action bill. As I mentioned earlier, this bill has strong bipartisan support. I hope we can begin work quickly on the bill and complete action on the bill in a reasonable timeframe. It is an important piece of legislation and one many Members feel very strongly about and look forward to completing.

We will have votes throughout the week as we return to business following the Fourth of July break. It will be a very busy week with time spent on class action.

ADJOURNMENT UNTIL 9:45 A.M.,
TUESDAY, JULY 6, 2004

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Sen-

ate stand in adjournment under the provisions of S. Con. Res. 120.

There being no objection, the Senate, at 11:40 a.m., adjourned until Tuesday, July 6, 2004, at 9:45 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 25, 2004:

DEPARTMENT OF STATE

JAMES FRANCIS MORIARTY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF NEPAL.

BENJAMIN A. GILMAN, OF NEW YORK, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-EIGHTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

ANNE W. PATTERSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

ANNE W. PATTERSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

JOSEPH D. STAFFORD III, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GAMBIA.

LEWIS W. LUCKE, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SWAZILAND.

R. NIELS MARQUARDT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EQUATORIAL GUINEA.

CHARLES P. RIES, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GREECE.

SUZANNE HALE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATED STATES OF MICRONESIA.

WILLIAM R. BROWNFIELD, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE BOLIVARIAN REPUBLIC OF VENEZUELA.

RALPH LEO BOYCE, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THAILAND.

JOHN MARSHALL EVANS, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ARMENIA.

TOM C. KOROLOGOS, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BELGIUM.

DOUGLAS L. MCELHANEY, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BOSNIA AND HERZEGOVINA.

WILLIAM T. MONROE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF BAHRAIN.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

JACKSON MCDONALD, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

JAMES D. MCGEE, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MADAGASCAR.

JOYCE A. BARR, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAMIBIA.

JUNE CARTER PERRY, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF LESOTHO.

R. BARRIE WALKLEY, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE GABONESE REPUBLIC, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCE.

CYNTHIA G. EFIRD, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ANGOLA.

CHRISTOPHER WILLIAM DELL, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZIMBABWE.

FOREIGN SERVICE NOMINATIONS BEGINNING ROBERT H. HANSON AND ENDING DONNA M. BLAIR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2004.

EXTENSIONS OF REMARKS

PROVIDE VETERANS WITH BEST HEALTH CARE AND HIGHEST COMPENSATION

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. ALEXANDER. Mr. Speaker I rise today in the spirit of Independence Day to recognize the will and strength of our men and women in uniform as they fought in wars past and continue to maintain our commitment to democracy throughout the world. Our veterans are living examples of the ideals of our founding fathers and it is those same ideals that are inspiring a new generation of veterans.

More than 300 years ago, the first generation of American veterans fought a war to establish our sovereignty. Along with our independence came the understanding that America would need protection, and we would need a constant military force to ensure the preservation of these freedoms. Americans answered the call to duty, and the willingness of our troops to boldly go into harms way in the defense of democracy has not wavered.

As our nation's veterans volunteered to risk their lives for our protection, our country and its leaders have an obligation to provide them with the care and resources they need and are entitled to once they retire. Veterans have made significant, personal sacrifices and have earned the very best we can offer them.

Yesterday marked the 60th anniversary of the GI Bill, an important step our leaders took to recognize the commitment we owe our veterans. Because of the GI Bill, our veterans were given assistance with the costs of a college education and helped with the purchase of a home or business.

A lot was done, but there is still much to do. Health benefits need improving, the Widow's Tax and Disabled Veterans Tax need ending and education benefits should still be expanded. We cannot increase their costs for health care, and we must not cut funding to their system.

George Washington said "the willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their nation." Our nation's veterans served and protected us, and they inspired the soldiers who responded to the call after them. They fought for our country, for the continued prosperity of our government, and once their service has ended, they should not have to fight the government for the benefits they deserve.

I call on my colleagues in Congress to continue to work together to provide veterans with the best healthcare and the highest compensation, as it is the least they have earned for their years of service.

PAYING TRIBUTE TO TAMERA BICKETT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the life and legacy of Tamera "Tami" Bickett of Powell Butte, Oregon. Tami bravely battled the Storm King Mountain Fire outside the town of Glenwood Springs, Colorado in 1994, but succumbed to the blaze along with thirteen fellow firefighters while working to protect the City. I personally served as a firefighter and understand the risks they face each and every day. Witnessing the awful inferno that fateful July day, I know Tami and her comrades battled the fire with the utmost courage and valor. With the tenth anniversary of the Storm King Fire approaching, I believe it appropriate to recognize the sacrifice Tami and the Storm King Firefighters made on behalf of a grateful community, state and nation.

Born and raised in Lebanon, Oregon, Tami was a competitive athlete in high school, participating on the cross-country and volleyball teams. In her senior year of high school, she represented her community as a Strawberry Festival princess. Tami joined the U.S. Forest Service in 1988, and was a Squad Boss for the Prineville Hotshots, an elite group of firefighters who specialize in wildland fire suppression. She enjoyed the challenging rigors of fighting fires, even when injuries sustained on the job made her work difficult. She was a dedicated member of her crew, and received a great deal of satisfaction from helping others. Above all, she was devoted to her family and friends.

Mr. Speaker, it is an honor to rise before this body of Congress and this nation to pay tribute to the life and memory of Firefighter Tamera Bickett. Tami personified the Hotshots credo of Safety, Teamwork and Professionalism; putting herself in harm's way for unfamiliar people and places. She made the ultimate sacrifice doing what she loved, and I, along with the Glenwood Springs community and the State of Colorado are eternally grateful to this brave young woman.

TRIBUTE TO BISHOP VERNON RANDOLPH BYRD

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Bishop Vernon Randolph Byrd, one of eight legendary leaders of the African Methodist Episcopal Church (AME) who will be retiring at this year Quadrennial Conference in Indianapolis, Indiana. A native of South Carolina, Bishop Byrd received a public

school education. After graduating from Bell Street High School, he enrolled at Allen University, where he received the Bachelor of Arts degree. He later received a Master of Sacred Theology degree from Boston University.

Called to preach at the age of 12, Bishop Byrd was licensed to preach at the age of 17. His ministry included pastorates at Macedonia AME Church in Seaford, Delaware (1954–1959); St. Paul AME Church in Hamilton, Bermuda (1959–1966); and Macedonia AME Church in Camden, New Jersey (1979–1984). He also served as Presiding Elder of the Newark District from 1966–1967.

Bishop Byrd was elected the 105th Bishop of the African Methodist Episcopal Church at 1984 General Conference and was assigned the 14th Episcopal District. He initiated numerous projects under his administration—one in particular was the Frank Curtis Cummings Health Clinic, which was built in Monrovia, Liberia.

During his tenure he presided over the 16th, 13th, and 5th Episcopal Districts, where his mission continued to be saving souls for the building of God's kingdom. His motto is "Unless souls are saved, nothing is saved!" Bishop Byrd holds memberships in the NAACP, Phi Beta Sigma Fraternity, Inc., and the Royal Lodge of Scotland.

Bishop Byrd is married to Theora Lindsey Byrd. They are the parents of four.

Mr. Speaker, I ask you and my colleagues to join me in paying tribute to Bishop Vernon Randolph Byrd upon his retirement from the Bishopric. He has provided tremendous leadership for the AME Church, and his long history of educational leadership and service will influence future generations for ages to come. AME founder Richard Allen would be deeply proud of his Episcopal descendant.

A TRIBUTE IN HONOR OF 2004 LEGRAND SMITH OUTSTANDING TEACHER AWARD WINNER LOLA COLLINS OF PARMA, MICHIGAN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. SMITH of Michigan. Mr. Speaker, education is the key to our Nation's future prosperity and security. The formidable responsibility of molding and inspiring young minds to the avenues of hope, opportunity and achievement partially rests in the hands of our teachers. Today, I would like to recognize a teacher from Parma, Michigan that significantly influenced and motivated exceptional students in academics and leadership who were winners of the LeGrand Smith Scholarship.

Lola Collins teaches fourth and fifth grade at Parma Elementary in Parma. She is credited with instilling in students an enthusiasm for not only these subjects, but also for life. As one of her students, Kelli McCarrell, said, "She showed me how to be who I am, and not be

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

afraid of experiences. Because she was my teacher for two years, she watched me grow up. Both of these years, she encouraged my curiosity for life and my energetic passion for knowledge—it is her influence that has helped me become who I am today.” The respect and gratitude of her students speaks well of Lola’s ability to challenge young minds and encourage them to always put forth their best effort.

Lola Collins’ extraordinary work as a teacher has challenged and inspired countless students to move beyond the teenage tendency of superficial study and encourage them to foster deeper thought and connections to the real world. Arguably, no profession is more important because of its daily influence upon the future leaders of our community and our country, and Lola’s impact on her students is certainly worthy of recognition.

On behalf of the Congress of the United States of America, I am proud to extend our highest praise to Lola Collins. We thank her for her continuing dedication to teaching and her willingness and ability to challenge and inspire students to strive for success.

PAYING TRIBUTE TO RICHARD
TYLER

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the life and legacy of Richard Tyler of Grand Junction, Colorado. Rich bravely battled the Storm King Mountain Fire outside the town of Glenwood Springs, Colorado in 1994, but succumbed to the blaze along with thirteen fellow firefighters while working to protect the City. I personally served as a firefighter and understand the risks they face each and every day. Witnessing the awful inferno that fateful July day, I know Rich and his comrades battled the fire with the utmost courage and valor. With the tenth anniversary of the Storm King Fire approaching, I believe it appropriate to recognize the sacrifice Rich and the Storm King Firefighters made on behalf of a grateful community, state and nation.

Born and raised in Minnesota, Rich graduated from the University of Minnesota with a degree in forestry. He moved to Grand Junction in 1985 where he joined the Western Slope Helitack crew, a specialized group of firefighters who are often the first to respond to a wildland fire. Rich became the crew’s foreman, always putting the safety of his crew first. He established the first heli-rappel program in the Rocky Mountain area, and was instrumental in developing the Forest Service’s Interagency Helicopter Operations Guide. In 1994, he was recognized for his efforts by the Department of the Interior and received their National Aviation Safety Award. He was a good crew leader and received a great deal of satisfaction from helping others. Above all, he was devoted to his wife and son.

Mr. Speaker, it is an honor to rise before this body of Congress and this nation to pay tribute to the life and memory of Firefighter Richard Tyler. Rich was willing to put himself in harm’s way for unfamiliar people and places. He made the ultimate sacrifice doing what he loved, and I, along with the Glenwood

Springs community and the State of Colorado are eternally grateful to this brave man.

CELEBRATING GALESVILLE
SESQUICENTENNIAL

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. KIND. Mr. Speaker, I is with great pleasure that I rise before you today to honor the historic village of Galesville, Wisconsin. On June 26, 2004, Galesville will be celebrating its 150th anniversary, and activities will include the opening of a capsule that was buried fifty years ago on the town’s 100th anniversary.

This quaint community in western Wisconsin overlooks Lake Marinuka and sits among rolling hills, towering cliffs, forests and spring-fed streams. The first settlers of the Galesville area were the Native Americans, who planted their history on the same soil the town of Galesville rests today. The influence of the Native Americans remains strong; this is apparent in the naming of Lake Marinuka, which was named after the legend of Princess Marie Nounko, who was the granddaughter of the Great Chief Decorah, the chief of the Winnebago tribe. Princess Marie’s grave lies at the north end of the lake, where she was buried in 1884. In addition, the town of Galesville is blessed with a unique 100 year old bowstring bridge, located alongside the historic McGilvray Road.

Judge George Gale founded Gales College 150 years ago; soon after the town was born. In 1869, Rev. D.O. Van Slyke, circuit-riding preacher and Civil War veteran, believed Galesville was the biblical Garden of Eden because of its breathtaking surroundings. The term “Garden of Eden,” is still fitting to those walking the streets of this quiet village.

Galesville’s Apple Affair has become a major Trempealeau County event. Since 1983, this annual event takes place on the first Saturday in October as part of Wisconsin’s effort to promote the state’s apple orchards. The Apple Affair draws many families from throughout the region. From apple pie to caramel apples, this annual celebration is a wonderful time to enjoy the outdoors, as well as get to know the friendly people of Galesville.

The 150th anniversary of Galesville highlights what is good and important about rural America to our country. There are thousands of small rural communities across this Nation that form the backbone of rural life; these communities are the incubators of local commerce, politics, education, recreation, entertainment and faith of rural neighborhoods. The hardworking citizens of small town America are the builders of our great Nation.

I am pleased to congratulate the citizens of Galesville on their sesquicentennial, and believe it is important to recognize their unique contribution to the growth of western Wisconsin. I wish them happiness and prosperity during the next 150 years.

TRIBUTE TO BISHOP FREDERICK
HILLBORN TALBOT

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Bishop Frederick Hillborn Talbot, one of eight legendary leaders of the African Methodist Episcopal Church (AME) who will be retiring at this year’s Quadrennial Conference in Indianapolis, Indiana.

Bishop Talbot is a graduate of Allen University located in the Sixth Congressional District of South Carolina which I proudly represent in this august body. He also matriculated at Yale Divinity School, Pacific School of Religion, and Columbia Theological Seminary. He completed further postgraduate work at Teachers College, Columbia University, and as a Resident Fellow at Harvard University in the fall of 1989.

Bishop Talbot has served in the 6th, 16th, and 12th Episcopal Districts since being elected the 90th Bishop of the AME Church in 1972. He has also served as the denomination’s Ecumenical Officer. Bishop Talbot currently serves in the 13th Episcopal District, which includes the States of Kentucky and Tennessee. He is second in the Church’s seniority of Bishops.

In 1996, Bishop Talbot edited the Book of Original Prayers, which served as an official document for the 45th Session of the AME Church’s General Conference. He also authored *New Eyes for Seeing* (1998), *Walking Through A Service of Worship* in the AME Church (2000), and *God’s Fearless Prophet* (2002). Bishop Talbot has composed several tunes and texts—one of which was included in RISK, the worship book used by the World Council of Churches for its 5th Assembly held in Nairobi, Kenya. Three of his texts are found in the AME Church Hymnal.

Prior to being called to the ministry, Bishop Talbot served in the diplomatic service of his native land, the Government of Guyana. There, he was recipient of the coveted Cacique Crown of Honor (CCH) for meritorious service.

Bishop Talbot is married to Dr. Sylvia Ross Talbot of the U.S. Virgin Islands.

Mr. Speaker, I ask that you and my colleagues join me in paying tribute to Bishop Frederick Hillborn Talbot upon his retirement from the Bishopric. He has provided tremendous leadership for the AME Church and his long history of community leadership and church service will influence many generations for years to come.

A TRIBUTE IN HONOR OF 2004
LEGRAND SMITH OUTSTANDING
TEACHER AWARD WINNER

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. SMITH of Michigan. Mr. Speaker, education is the key to our Nation’s future prosperity and security. The formidable responsibility of molding and inspiring young minds to the avenues of hope, opportunity and achievement partially rests in the hands of our teachers. Today, I would like to recognize a teacher

from Jonesville, Michigan that significantly influenced and motivated exceptional students in academics and leadership who were winners of the LeGrand Smith Scholarship.

Judy Hale teaches College Prep English at Jonesville High School in Jonesville. She is credited with instilling in students an enthusiasm for not only these subjects, but also for life. As one of her students, Shea Scott Dow said, "She listens and gives advice to her students, she motivates and she maintains expectations. Because of these high expectations, I feel that I'm ready to go to college and be successful in my studies." The respect and gratitude of her students speaks well of Judy's ability to challenge young minds and encourage them to always put forth their best effort.

Judy Hale's extraordinary work as a teacher has challenged and inspired countless students to move beyond the teenage tendency of superficial study and encourage them to foster deeper thought and connections to the real world. Arguably, no profession is more important because of its daily influence upon the future leaders of our community and our country, and Judy's impact on her students is certainly worthy of recognition.

On behalf of the Congress of the United States of America, I am proud to extend our highest praise to Judy Hale. We thank her for her continuing dedication to teaching and her willingness and ability to challenge and inspire students to strive for success.

REGARDING THE 60TH
ANNIVERSARY OF THE G.I. BILL

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. FALEOMAVAEGA. Mr. Speaker, today, we honor the men and women who defended and protected our people, our country, and our families. In celebrating the 60th anniversary of the GI Bill, we express our strong sense of gratitude and thanks to the veterans who have served and sacrificed their lives for the freedom and democracy that we still enjoy today.

On June 22, 1944, President Franklin D. Roosevelt signed the Servicemen's Readjustment Act of 1944 also known as the G.I. Bill of Rights. This legislation was for veterans of World War II and it established veterans' hospitals, provided for vocational rehabilitation, made low-interest mortgages available, and granted stipends covering tuition and living expenses for veterans attending college or trade schools.

Subsequent legislation extended these benefits to veterans of the Korean War and the Readjustment Benefits Act of 1966 extended benefits to all who served in the Armed Forces even in peacetime. From 1944 to 1949, nearly 9 million veterans received close to \$4 billion from the G.I. bill's unemployment compensation program. Education and training provisions existed until 1956, providing benefits to nearly 10 million veterans.

The Veterans' Administration offered insured loans until 1962, and these totaled more than \$50 billion. In 1985, the Montgomery G.I. Bill (MGIB) became the newest federal program to provide education and training to our nation's veterans. The MGIB was one of the most important bills passed in its time and its influ-

ence is felt today. In 2003, for example, the Department of Veterans Affairs helped provide education or training for 322,754 veterans and active-duty personnel, 88,342 reservists, and 61,874 survivors.

In the past six decades, the GI Bill has continued to change in order to keep up with the needs of today's veterans. As of September 30, 2001, there are about 25.3 million veterans. There are also about 41.4 million family members and survivors of veterans. In addition, there are now more than 300,000 soldiers deployed in Iraq and Afghanistan and these numbers continue to increase.

The VA has become a potential source of benefits for almost one-fourth of the population of the United States. With the growing number of service members in Iraq and Afghanistan, the possible increase in the number of veterans requires us to consider new ways to increase their assistance and benefits.

While the GI Bill continues to assist with cost of college education, purchasing homes, farms, businesses, and also in finding jobs, the cost of living continues to increase. This is why we need to create legislation to improve health benefits and to make sure that education benefits offered by the GI bill are aligned with the rising costs of tuition. With the rising costs of housing, many veterans, especially those in expensive housing markets, also cannot afford average-priced homes.

Although we have done a lot, there are many more issues that need to be addressed. Therefore, as we acknowledge and celebrate the 60th anniversary of the GI Bill, I am hopeful that we will also honor our veterans by ensuring that we preserve and accomplish what the GI Bill promised.

TRIBUTE TO BISHOP VINTON
RANDOLPH ANDERSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Bishop Vinton Randolph Anderson, one of eight legendary leaders of the African Methodist Episcopal (AME) Church who will be retiring this year at the Church's Quadrennial Conference in Indianapolis, Indiana.

Born in Somerset, Bermuda, Bishop Anderson attended private elementary schools in Bermuda, and received his Bachelor of Arts degree from Wilberforce University. He received a Masters of Divinity from Payne Theological Seminary in Ohio, and Masters of Arts in Philosophy from the University of Kansas.

Bishop Anderson was ordained an Itinerant Deacon in 1951 and an Itinerant Elder in 1952. At the 1972 General Conference held in Dallas, Texas, he was elected the 92nd Bishop of the AME Church. He has presided over the 15th, 9th, 3rd, 5th, and 2nd Episcopal Districts during his tenure. Bishop Anderson has also served as Bicentennial Chairman, Ecumenical Officer, and Chairman of the General Conference Commission.

Bishop Anderson's ecumenical involvements span worldwide. He is a member of the Executive Committee of the World Methodist Council and is past Vice Chairman of the North American Section encompassing the United States, Canada, Mexico, and the Caribbean.

He is also past Chairman of the Committee on Religion and Society for the Global Economic Action Institute. Furthermore, Bishop Anderson has served as Chairman of Worship and Liturgy for the Consultation on Church Union. As Chairman, he provided leadership for the development of the Bicentennial Edition of the AME hymnal and the first Book of Worship. Bishop Anderson is a member of the General Commission of Christian Unity and Inter-religious Concern of the United Methodist Church; the Governing Board of the National Council of Churches; and the Advisory of the United States Office of the World Council of Churches.

Bishop Anderson is married to Vivienne L. Anderson. They have four sons.

Mr. Speaker, I ask that you and my colleagues join me in paying tribute to Bishop Vinton Randolph Anderson upon his retirement from the Bishopric. He has provided tremendous leadership for the AME Church and his long history of educational leadership and service will influence the lives of future generations for ages to come. Richard Allen the founder of the AME would be proud of his Episcopal descendant.

A TRIBUTE IN HONOR OF 2004
LEGRAND SMITH OUTSTANDING
TEACHER AWARD WINNER JOHN
W. MOODY OF JACKSON, MICHIGAN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. SMITH of Michigan. Mr. Speaker, education is the key to our Nation's future prosperity and security. The formidable responsibility of molding and inspiring young minds to the avenues of hope, opportunity and achievement partially rests in the hands of our teachers. Today, I would like to recognize a teacher from Jackson, Michigan that significantly influenced and motivated exceptional students in academics and leadership who were winners of the LeGrand Smith Scholarship.

John W. Moody teaches Mathematics and Physics at Concord High School in Concord, Michigan. He is credited with instilling in students an enthusiasm for not only these subjects, but also for life. As two of his students said, Matthew Wixson and Michael Horosko, "He takes time to explain something if I don't understand it, and he is always there to give a bit of wisdom. He has helped shape who I am and I will be forever grateful to him for that." And, "Mr. Moody taught me excellent math and science strategies, but even more important he taught me lessons about life. He is an excellent teacher, but even more so, a good friend." The respect and gratitude of his students speaks well of John's ability to challenge young minds and encourage them to always put forth their best effort.

John W. Moody's extraordinary work as a teacher has challenged and inspired countless students to move beyond the teenage tendency of superficial study and encourage them to foster deeper thought and connections to the real world. Arguably, no profession is more important because of its daily influence upon the future leaders of our community and our country, and John's impact on his students is certainly worthy of recognition.

On behalf of the Congress of the United States of America, I am proud to extend our highest praise to John W. Moody. We thank him for his continuing dedication to teaching and his willingness and ability to challenge and inspire students to strive for success.

STATEMENT ON VETERANS

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. BACA. Mr. Speaker, 60 years ago Democrats fought to pass the GI bill. The GI bill provided assistance for veterans to pay for a college education, purchase a home, and find a job.

Today, Democrats are still fighting hard to make sure our veterans have the benefits they need. We are fighting to improve the health benefits for veterans, to end the Widow's Tax and the Disabled Veterans Tax.

Last year, I introduced the Department of Veterans Affairs Claims Backlog Reduction Act of 2003 to help the 450,000 veterans who have claims pending for federal benefits.

But as Democrats continue to fight for our veterans, Republicans continue to underfund the programs that are so important to our veterans. House Republicans have passed a budget that underfunds veterans health care by \$1 billion, meanwhile they have managed to find room for more tax cuts for the wealthiest Americans.

Our brave men and women in uniform are serving our country. They are sacrificing for our freedom. It is our duty to make sure that they are taken care of when they return home.

Republicans have broken the promise the GI bill made 60 years ago.

Not one Republican has taken a stand against the Bush budget proposal.

Our soldiers are fighting our enemies abroad. They should not have to fight our government at home too.

TRIBUTE TO BISHOP HAMEL HARTFORD BROOKINS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to Bishop Hamel Hartford Brookins one of eight legendary leaders of the African Methodist Episcopal (AME) Church who will be retiring at this year's Quadrennial Conference in Indianapolis, Indiana.

Bishop Brookins was born in Yazoo City, Mississippi. He received a Bachelor of Arts degree from Wilberforce University in Ohio and a Bachelor of Divinity degree from Payne Seminary.

Prior to his election to the bishopric, Bishop Brookins pastored First AME Church in Los Angeles, California leading them through the building of a multi-million dollar cathedral. He also served as the first black president of the Wichita Ministerial Alliance. Bishop Brookins worked in the world of politics as manager and advisor helping to elect Thomas Bradley as Mayor of Los Angeles. He also served as

president of the Southern Christian Leadership Conference (SCLC) Western Region, and as vice president of Operation PUSH. Further, Bishop Brookins founded the Martin Luther King Student Fund, organized the first Interfaith Service at the Hollywood Bowl, and also lead the Primary Convention to elect the first black city councilman and Second Convention to elect the first black school board member.

Elected at the 1972 General Conference held in Dallas, Texas, Bishop Brookins was assigned to the 17th Episcopal District. He was inspired by the people's struggle for freedom, and became an active participant in their cause. As a consequence, Bishop Brookins was barred from Rhodesia in 1975. He participated in the 6th Pan African World Congress in 1974. Bishop Brookins also served and revitalized the 5th Episcopal District by purchasing and building new churches, sending ministers to organize new churches in Southern California, and establishing an Economic Development Fund for the District. Bishop Brookins also served in the 2nd, 12th, and 13th Episcopal Districts, and is a past Ecumenical Officer.

Bishop Brookins is married to Rosalyn Kyle Brookins and they have three children.

Mr. Speaker, I ask that you and my colleagues join me in paying tribute to Bishop Hamel Hartford Brookins upon his retirement from the Bishopric. He has provided tremendous leadership for the AME Church and his long history of religious and political service and leadership will influence generations for many years to come.

THE MIDDLE EAST

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. CAPUANO. Mr. Speaker, I rise today to express my views on the conflict in the Middle East.

I am deeply saddened by the seemingly endless bloodshed in the Middle East. The conflict has claimed the lives of too many innocent victims, Israeli and Palestinian alike. I have always believed and continue to believe that the United States has a role to play in assisting and supporting a negotiated peace in the region. I do not seek to assign blame but instead to ensure that we do all we can to achieve that end. I have no illusions that this conflict will be easily resolved, or that the United States can impose a solution—all we can do is urge the parties to make peace and support a process that offers some chance of success.

I support a two state solution to the conflict in the Middle East with Israel and Palestine coexisting as democratic states with secure, internationally recognized borders. Prime Minister Sharon's disengagement plan for an Israeli withdrawal from the Gaza strip and certain areas of the West Bank presents an opportunity to get the peace process moving again and to lay the foundation for an eventual Palestinian state. However, I do not believe that withdrawing from these areas, in and of itself, will bring peace. We, and others in the international community, need to work with Palestine to end terrorism and foster and build a strong, stable democracy. Until this goal is

accomplished, I strongly support Israel's right to defend herself against attacks. Israel is currently building a security fence to block out suicide bombers and others wishing to harm Israelis. I have concerns over the placement of the fence in certain areas and it is my hope that this fence will be a temporary structure that can be dismantled when peace is achieved. Lastly, I believe that all final status issues, including final borders and refugee issues, must be negotiated by the parties and supported by all nations committed to peace, so that Israel and Palestine can feel confident that their agreement will endure.

I fear that the issue of peace in the Middle East will be brushed aside during campaign season. We must not merely call for peace, we must make it a priority. To this end, I have sent a letter, which I have attached and will submit for the record, to President Bush asking that he appoint two individuals, a Democrat and a Republican, to help the parties seek peace and set forth a practical agenda for doing so. This dramatic gesture would remove peace-seeking from partisan politics and make plain to the world that Americans are united in their commitment to finding a peaceful solution. I personally am determined to do all that I can to ensure that this issue remains at the forefront of U.S. foreign policy and that progress is made toward finding a peaceful resolution.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
June 7, 2004.

President GEORGE W. BUSH,
*The White House, 1600 Pennsylvania Avenue,
Washington, DC.*

DEAR MR. PRESIDENT: I am writing to you because I believe that the United States must, as it has in the past, take action to advance the cause of peace between Israelis and Palestinians. I do not seek to assign blame, but to end the bloodshed.

Prime Minister Sharon's disengagement plan presents an opportunity that ought not to be lost by inaction. I share your conviction, expressed last month, that "all final status issues must still emerge from negotiations between the parties. . . ." I share, too, your belief that the United States has a role to play in fostering such negotiations. The suffering is acute, for both Israelis and Palestinians. Insofar as we can help bring the parties together, we ought to take action now. Our good offices should not be suspended because of the election campaign.

Therefore I respectfully urge that you appoint two Americans, a Republican and a Democrat, to help the parties seek peace. I would not presume to dictate your choice: there are wise and just men and women in both parties. I ask that you select a bipartisan pair and offer their services to Prime Minister Ariel Sharon and Prime Minister Ahmed Qureia, to meet with them, together or separately, to set forth a practical agenda for seeking peace.

Sincerely,

MICHAEL E. CAPUANO,
Member of Congress.

IN MEMORY OF MERLE F. PETERSON

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. ROSS. Mr. Speaker, Congressman MARION BERRY and I rise today to honor the

memory of Merle F. Peterson of Dumas, AR. Strong leadership, vision, concern for others, and philanthropy were enduring legacies left by Merle Peterson. He died on March 19, 2004 after having served his nation, state and Dumas with distinction.

After graduating with an electrical engineering degree from Arkansas State University, he came to Dumas in April of 1939 to operate a service station his father had bought. In November of that year, he was married to Deloris Ellegood, and together they built a successful Ford automobile business.

When Mr. Peterson volunteered for the Army Air Force in 1942, he rose to captain and served overseas three years with a bomber squadron in Africa and Italy. His wife kept the business operating during those years. After selling the Ford dealership in 1976, they continued their business and farming operations through Peterson Enterprises and jointly led in service and philanthropic endeavors for over 64 years.

After World War II, Mr. Peterson realized that Dumas faced major economic challenges in order to prosper. With other Dumas leaders, he worked to establish an industrial foundation and organized a drive to buy land for development as an industrial park.

Mr. Peterson founded Dumas State Bank, now Simmons First, and was its board chairman. His financial acumen led him to serve on the boards of the Arkansas Development Finance Authority, State Chamber of Commerce, and Economic Development Fund of Arkansas.

Fully devoted to his church, First United Methodist of Dumas, he was active in the Methodist Men's Class, chaired the administrative board and many committees, and served in important roles in the Little Rock Conference.

A mainstay of the Chamber of Commerce and the Lions Club, he was chosen Citizen of the Year in 1952, and 50 years later was still working with enthusiasm for projects to benefit Dumas. An early supporter of Arkansas Community Foundation, he was a founding board member of Dumas Area Community Foundation. He and his wife established scholarships at the University of Arkansas at Monticello and Dumas High School.

A loyal Democrat, he served as a state senator from 1960 through 1966, was chairman of the County Committee for 10 years, and was a volunteer staff member for Governor Bill Clinton for 12 years. He was a leader in the Clinton gubernatorial and presidential campaigns, and was named to the U.S. Electoral College in 1996. He received the Arkansas Democrats' top award in 1994.

Many state leadership and service accolades were bestowed on Mr. Peterson, but he always credited the people of Dumas for their support. He served for the betterment of many and leaves a huge legacy to fill.

TRIBUTE TO BISHOP JOHN HURST ADAMS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. CLYBURN. Mr. Speaker I rise today to pay tribute to Bishop John Hurst Adams, one

of eight legendary leaders of the African Methodist Episcopal (AME) Church who will be retiring at this year's Quadrennial Conference in Indianapolis, IN.

Bishop Adams was born in Columbia, SC, where he now lives after years of serving congregations and communities across our Nation. He grew up in the Waverly neighborhood of Columbia, which is located in the Sixth Congressional District which I proudly represent in this august body. He attended Waverly Elementary School, Booker T. Washington High School and John C. Smith University in Charlotte, NC. Bishop Adams continued his education at the Boston University School of Theology, Harvard School of Divinity, and Union Theological Seminary.

Bishop Adams began his ministry with a small congregation in Lynn, MA. He taught at Payne Theological Seminary in Ohio and later served as President of Paul Quinn College in Texas for 6 years and as Chairman of the Board for 8. During his years at Paul Quinn College, the school received accreditation from the Southern Association of Colleges and Schools (SACS) and saw many new building renovations and improvements.

Bishop Adams next served as pastor at First AMEC in Seattle. From Seattle, Bishop Adams went to Los Angeles where he pastored Grant AMEC in the Watts section of Los Angeles. It was also in Los Angeles that Bishop Adams was elected the 87th Bishop of African Methodism.

Upon his election, Bishop Adams served the Tenth Episcopal District in Texas and later left his mark on the Second Episcopal District in the Mid-Atlantic States. Under his leadership, 40 new congregations sprouted throughout the district. From there, he served the Sixth Episcopal District in Georgia where he served as Chairman of the Board of Trustees for Morris Brown College, Turner Theological Seminary, Interdenominational Theological Center and the Atlanta University Center. He also served on the Centennial Olympic Committee.

I was very proud when Bishop Adam's service called him to the Seventh Episcopal District in South Carolina, in 1992, to serve over the State's 609 AME churches. He arrived in South Carolina just in time to play a pivotal role in my election to this body. Bishop Adams currently serves the Eleventh Episcopal District, encompassing Florida and the Bahamas.

Bishop Adams is a strong believer that people must join together to do what they cannot do alone. To that end, he has founded the Congress of National Black Churches, the Institute on Church Administration and Management in Atlanta, Georgia; the Richard Allen Service and Development Agency in Washington, DC; and the Educational Growth Organization in Los Angeles, CA. He continues to serve on many Boards including that of the Interdenominational Theological Center, Institute on Church Administration and Management, Joint Center for Political Studies, Children's Defense Fund Black Community Crusade for Children, National Black United Fund, Industrial Area Foundation, National Urban League, and the Palmetto Project.

Bishop Adams has received many fitting honors and awards throughout his 25 years as Bishop. In 1996, he was awarded South Carolina's highest citizen honor, the Order of the Palmetto, in recognition of his contributions to the State.

Bishop Adams is married to his partner in the ministry, Dr. Dolly Adams of New Orleans,

Louisiana. They have three daughters and five grandchildren.

Mr. Speaker, I ask you and my colleagues to join me today in honoring Bishop John Hurst Adams whose spirit, belief, and kindness have moved communities to action across the Nation. He is a roll model, a friend, an outstanding leader and a great American. His retirement from the Bishopric creates a void that will be hard to fill.

HONORING MARK BEELER ON HIS RETIREMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. GORDON. Mr. Speaker, I rise today to congratulate Mark Beeler on his retirement from the Trousdale County Agricultural Extension Service. Mark is a resident of Hartsville, TN, which I have the pleasure of representing in Tennessee's Sixth Congressional District.

For 27 years, Mark has been a dedicated employee of the Ag Extension Service, but the agency has been in his blood for much longer. His father, H.Y. Beeler, is a retired extension agent from Williamson County. Mark began his own career in Hickman County before transferring to Trousdale County in 1981.

In addition to his commitment to Ag Extension, Mark has been a first-rate public servant. As a member of Hartsville's Volunteer Fire Department, he has championed fire-safety education programs. In fact, Mark was instrumental in establishing fire-safety education in the local school system and day-care facilities.

I applaud Mark and all that he has accomplished. He and his coworkers at Trousdale County Ag Extension have made certain that Middle Tennessee farmers have access to the latest technology and techniques. I am sure the Hartsville community will be sad to see him go, but I know I join with them in wishing him a very happy retirement.

RECOGNIZING AND ENCOURAGING ALL AMERICANS TO OBSERVE 40TH ANNIVERSARY OF THE DEATHS OF ANDREW GOODMAN, JAMES CHANEY, AND MICHAEL SCHWERNER, CIVIL RIGHTS ORGANIZERS

SPEECH OF

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 2004

Mr. OWENS. Mr. Speaker, this House must be applauded for the passage of the Resolution (H. Con. Res. 450) I introduced to honor the civil rights martyrs: Andrew Goodman, James Chaney, and Michael Schwerner. These young men were true martyrs, non-violent and self-sacrificing for the highest ideals. In contrast to the suicide bombers who call themselves "martyrs" while taking lives, these heroes placed themselves at risk in order to save lives. The fact that their passion and dedication was expressed in non-violent actions made them no less courageous and brave fighters. On this fortieth anniversary of

their lynching it is important that we hold up to our youth and to the world these examples of three "greatest" American men.

THE ANGELS CRIED

The day Chaney, Schwerner and Goodman died

Was a day the angels cried:
Heroes who laid down their lives,
Courage recorded for eternal archives.
Medals of honor belong to the brave
Who take no lives but struggle to save
The credo of justice for all;
Build them a three person Memorial Wall.
Suicide bombers look down and see
True martyrs who won great glory
In the war for ideals
Fought past Mississippi cotton fields;
Three sacrificed the full measure of devotion,
Murder of enemies is an obsolete notion,
Love is a weapon of overwhelming emotion.
Sound the trumpet again and again
Appreciate the sacrifice of three greatest American men.
The day Chaney, Schwerner and Goodman died
Was a day angels in heaven cried.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF THE PETUNIA FESTIVAL

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. HASTERT. Mr. Speaker, I have the great honor and privilege of representing the city of Dixon, Illinois. Dixon encompasses all that is good in America. It's a place that puts a great emphasis on the importance of family and friendship. Mom-and-Pop businesses are often passed down from generation to generation and its citizens continue to honor traditions from years past. For that reason, I rise today to recognize one of these long and celebrated traditions—the 40th anniversary of the Petunia Festival.

In 1830, Father John Dixon purchased land in the western parts of Illinois and soon began ferrying people across the Rock River to settle the area that would later be named after its founder. Unfortunately, in the 1950s a combination of Dutch Elm disease and major highway expansion resulted in the removal of all trees along the community's major roadways.

Nonetheless, in 1960, a small group of residents, better known as the Dixon Men's Garden Club, grew tired of the arid landscape and planted 4,000 petunias along South Galena Avenue to enhance the aesthetic beauty of the small Midwestern town. The following year, the Garden Club planted 6,000 more petunias, this time along North Galena Avenue.

Each year since, the residents of Dixon pay tribute to the Dixon Men's Garden Club by planting and caring for 24,000 petunia plants, which now extend along all major streets throughout the town.

In recent years, Dixon has received much attention for their annual Petunia Festival celebration. In fact, in 1999, the 91st General Assembly of Illinois passed a resolution declaring the city of Dixon, Illinois, the "Petunia Capital of Illinois." In addition, the fun-spirited festival has earned the town national recognition and is often referred to as the "Petunia City" by passing travelers.

Once again, I want to congratulate the city of Dixon as it celebrates its 40th anniversary of the Petunia Festival and wish its citizens, and my constituents, all the best in the years to come.

TRIBUTE TO LCDR BRUCE D. CLEMONS, UNITED STATES NAVY

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Lieutenant Commander Bruce D. Clemons who leaves his active duty assignment with the United States Navy this month after seven years of service to our Nation and to the U.S. House of Representatives.

Dr. Clemons' last assignment in the Navy was as the Senior Medical Officer at the Office of the Attending Physician here in the United States Capitol. In that position, he has provided invaluable medical assistance to my colleagues and me in the House and Senate, to the members of our staffs, and to the hundreds of thousands of visitors. All who came into contact with Dr. Clemons will agree that he served with an unmatched level of commitment and professionalism.

This dedication to duty and service yielded many honors for Dr. Clemons. These include the Navy Commendation Medal, the Navy Achievement Medical, the Navy Unit Commendation, and the National Defense Service Medal with Bronze Star. Perhaps the honor that best reflects his medical ability and coolness under pressure is the U.S. Public Health Service Crisis Response Award that he recently received for his work in responding to the Anthrax bioterrorism attacks on the United States Capitol. His immediate actions in the face of grave, unknown danger prevented the potential loss of life and serious illness for those exposed to the deadly Anthrax spores. In addition to providing medical care, he helped develop a comprehensive plan to deal with the crisis both in the short and long-term, and he calmly provided valuable information to members and staff who were or may have been exposed to these toxins.

Mr. Speaker, Bruce Clemons has been an outstanding sailor, doctor, and friend. My colleagues in the House appreciate his service to the Navy and to the United States Congress. We will greatly miss Bruce and want to wish him and his wife Catherine and their two children Abigail and William all the best as they continue Bruce's medical career in central Virginia.

IN HONOR OF DONALD J. CAMPBELL, RETIRING DIRECTOR OF NASA GLENN RESEARCH CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Donald J. Campbell—admired and respected businessman, community leader, and friend and mentor to countless—upon his retirement following 10

years of exemplary service as the Director of the National Aeronautics and Space Administration's (NASA) Glenn Research Center at Lewis Field in Cleveland, Ohio.

Under his tenure as Director, Mr. Campbell carried out the mission of the NASA Glenn Research Center with great focus, vision, and dedication. He easily garnered the admiration of the entire staff at NASA Glenn. Moreover, Mr. Campbell forged strong partnerships with local and national business leaders, political leaders, and educational institutions, including historically black colleges and universities. These unbreakable bonds that radiate outward from NASA Glenn Research Center inspire countless young adults to follow their dreams of exploring careers in aeronautics, elevate our community's interest and understanding of aeronautics, and serve to support and enhance numerous educational opportunities for students within our community. As the only African American NASA Center Director during his tenure, Mr. Campbell served as an inspiration to numerous young Americans to remain focused on their academic and professional dreams, despite barriers or challenges along the way.

Beyond his professional accomplishments, Mr. Campbell continues to take an active role within our community. He is a member of the board of directors of the American Red Cross and is a member of the Kent State University Aeronautics Division Advisory Board. Mr. Campbell has been honored numerous times for his significant career in public service, including the Affirmative Action Award from the Ohio Martin Luther King, Jr. Holiday Commission, and the Technical Excellence in Government and Engineer Award from the National Technical Association.

Mr. Speaker and colleagues, please join me in honor of Mr. Donald J. Campbell, as we recognize his significant contribution to NASA Glenn Research center and to our entire community. His work, expertise and dedication has enhanced and fortified the cornerstone of technology within our region. More importantly, it has served to provide tangible educational opportunities and limitless dreams of possibility for the young people of our community. I extend best wishes of peace, health and happiness to Mr. Campbell and his family, today, and throughout all of his future endeavors.

HONORING THE WHARTON FIRE DEPARTMENT OF MORRIS COUNTY, NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Wharton Fire Department, in Wharton, Morris County, New Jersey, a patriotic community I am proud to represent! On June 5, 2004 the good citizens of Wharton celebrated the Fire Company's Centennial Anniversary with special festivities and a parade.

For one hundred years, the Wharton Fire Department has been protecting and serving the residents of their community. Established by the collective efforts of the property owners in the Borough of Wharton, the ordinance "to

provide for, establish and regulate a fire department in the Borough of Wharton" was declared law by Mayor Harry J. Williams on February 15, 1904. The ordinance designated a Chief, First Assistant Chief and Second Assistant Chief. It also called for the formation of three companies: the Active Hose Company with twenty members, the Independent Hook and Ladder Company with forty members, and the Board of Fire Wardens composed of twenty members. A list of names were read and approved on April 4, 1904. Charles Hance was the first Chief of the Wharton Fire Department, Robert Oram was approved as the first Assistant Chief and John McKenna was approved as the Second Assistant Chief.

To get started, the Wharton Fire Department borrowed two two-wheeled, hand drawn hose carriages from first Assistant Chief Robert Oram. Soon after, the Fire Department ordered a hose cart and a hand drawn hook and ladder truck. Several other hose carts and horse-drawn ladder trucks were purchased until the first gasoline-motorized piece of equipment, an "REO" fire truck, was purchased and put into use in 1916.

The first means of alerting the firemen to an emergency was by striking large locomotive rims located in several sections of town. Then, in December 1904, an 8-inch steam whistle was installed at the Hurd Mine. After the mine was closed, the whistle was transferred to the furnace and then to the Gunther Silk Mill. This trusty steam whistle was used until 1918 when a manually controlled electric siren was installed in a cupola atop the Borough Hall. In 1929, the first of 19 fire alarm boxes were installed on street corners across the Borough. In the 1950's, additional electronic sirens were installed as the population of the town increased: Today, every Saturday at noon, the fire alarm system is tested by the four sirens still in use. But the Department is dispatched, by home radio receivers and personal pagers.

To commemorate the Wharton Fire Department's 100th Anniversary, the Borough hosted fire companies from all over New Jersey and the surrounding area on June 5, 2004. The Wharton Fire Department has always been known for its marching ability and its drill team, and first marched in August of 1907 in nearby Hackettstown. The Department won its first prize in 1908 and today over 200 trophies adorn the walls of their firehouse.

The Wharton Fire Department has grown over the years to meet the changing demands of the town and to incorporate the newest firefighting and lifesaving technologies. From its charter members to its current roster, the membership of the Wharton Fire Department has over the last century dedicated itself to the safety and welfare of Wharton's good citizens. Wharton's firefighters, dedicated public servants, past and present, are to be commended for a job well done.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the volunteers of the Wharton Fire Department on the celebration of 100 years of a rich history in the protection of one of New Jersey's finest municipalities.

HONORING THE FIREFIGHTERS WHO SAVED LAKE ARROWHEAD

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. LEWIS of California. Mr. Speaker, it is my pleasure today to call attention to the federal, state and local firefighters whose bravery and quick thinking saved thousands of homes and many lives in the San Bernardino Mountains of California last year. Representatives of these community heroes are in town this week for well-deserved national recognition from the U.S. Department of Agriculture, and I would like to add my voice to the acclaim they are receiving.

My colleagues have heard me say many times on this floor that we are facing a terrible crisis in our Southern California forests. Years of drought have weakened the trees, and allowed the pine bark beetle to attack and kill millions of them—leaving hundreds of acres ready to burn at any time. More than 100,000 of my constituents live among these trees, and their lives and safety are at risk until we remove these dead and dying trees.

In October last year, the disaster we feared struck California—and struck and struck again. Within days, fires were consuming tens of thousands of acres in San Bernardino, Los Angeles, San Diego and Ventura counties. In my district, a fire started in the foothills and spread to 100 acres within ten minutes. In less than an hour, it became clear that nearby communities would need to be evacuated. By nightfall the Old Fire consumed over 4,000 acres of land. It destroyed 400 homes and was responsible for two fatalities before the day was out. Ultimately, nearly 1,000 homes were lost.

As dawn arrived on October 26, Fire Incident Commander Norm Walker was contemplating the distinct possibility of the worst-case scenario: fire reaching the 40,000 homes in the Lake Arrowhead community. Mandatory evacuations of all of the mountain communities began. Resources were stretched to the absolute maximum, due to other fires burning throughout the state.

The San Bernardino Mountains rise steeply to 10,000 feet above the city, and running along the face of the mountains between 5,000 feet and 7,000 feet is the famous Rim of the World Highway, State Route 18. This is also the last point where the fire could be stopped before roaring into the millions of dead trees in and around our mountain communities. By evening on October 26, the main fire crossed Highway 18, and the order was given to begin backfiring along the highway across the mountain rim to the east. The northeast winds were predicted to shift, which would push the flames north across Highway 18 and directly into the community of Lake Arrowhead.

Four highly trained firefighters in a unified command, Randy Clauson (USFS), Jim Ahearn (USFS), George Corley (San Bernardino County Fire), and Bill Bagnell (Crest Forest Fire) initiated the difficult, strenuous firing operation at 9:00 pm using limited personnel. Except for radio communication, these four on-the-scene chiefs were largely on their own. Every member of their teams faced the possibility of being caught by 100-foot

walls of flame that were sweeping up the mountains. But they stayed the course for the next two days—and the success of their operation is evidenced by the fact that nearly all of the mountain homes were spared.

Mr. Speaker, there is no doubt in my mind the heroic, exhausting efforts of these four individuals over the course of three days resulted in saving thousands of homes and billions of dollars of infrastructure around Lake Arrowhead. Anyone who has seen photos of the conditions along Highway 18 during the height of the fire is in awe of the courage and fortitude of these firefighters, and mountain residents will be forever grateful for saving their homes.

In honor of those efforts, the fire chiefs on Friday will receive the U.S. Department of Agriculture Honor Award for heroism and emergency response. I ask my colleagues to please join me in congratulating them on this recognition, and thanking them for representing the highest level of bravery and resourcefulness in defending and saving our communities.

SYMPATHIES TO FAMILY AND FRIENDS OF LANCE CORPORAL PEDRO CONTRERAS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. GREEN of Texas. Mr. Speaker, I rise today to extend my deepest sympathies to the family and friends of Lance Corporal Pedro Contreras.

Lance Cpl. Contreras was a constituent of the 29th District of Texas, and a true hero, who died on June 21, 2004 while serving his country in the Al Anbar Province, Iraq.

Pedro Contreras joined the Marine Corps on May 7, 2001, five years after graduating from Galena Park High School.

Lance Cpl. Contreras was a rifleman assigned to the 2nd Battalion, 4th Marine Regiment, 1st Marine Division of the 1st Marine Expeditionary Force based in Camp Pendleton, California, where he earned several honors, including the National Defense Service Medal and the Sea Service Deployment Ribbon.

Pedro Contreras leaves behind his two parents, Jose and Angela Contreras, and three brothers.

I know his parents, family and friends are devastated by this loss, but they should be proud of the great man Pedro Contreras had become and that he died a hero while serving his country.

His loss will be felt by all of our community, and I ask that you remember the Contreras family in your thoughts and prayers.

TRIBUTE TO COMMANDER CHRISTOPHER A. RHODEN, USN

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize and pay tribute to an outstanding Naval Officer, Commander Chris

Rhoden, to recognize his service to our Nation and the Navy as he leaves the Pentagon to pursue his first love, commanding a Naval ship.

On behalf of my colleagues in the House and on the Appropriations Committee, I want to take this opportunity to thank him for his distinguished and dedicated service.

It was through his assignment with the Navy's Appropriations Liaison office that I first came to know Commander Rhoden. In this capacity, he served as an invaluable liaison for the Secretary of the Navy and the Chief of Naval Operations to me, the members of my committee, and our staff.

In addition to providing timely and accurate information on budget matters, Commander Rhoden also has escorted me and other Members of Congress on several occasions as we traveled both home and abroad to review military operations and confirm the health and welfare of our troops. He provided special insight on matters of national security, naval shipbuilding, and the direct relationship between the two. His candor, intelligence, and steadfast devotion to duty, was always very much appreciated and he was an invaluable asset to me during deliberations regarding funding programs for our armed forces. His perspective on the needs of the Nation with respect to our sea services provided me with the clarity and detail I needed to make important decisions regarding appropriations for the Department of Defense.

In addition to the respect I have for the work Commander Rhoden did in representing the Navy, I also thank him for the calm demeanor and sense of humor he shared with us all. Chris has become a mentor and friend to me and to my family, and for that I will always be grateful. It is this same sense of purpose and professionalism that I am confident will make Commander Rhoden a tremendous role model for those who serve under his command.

Mr. Speaker, it is my honor to recognize Commander Rhoden for his distinguished service to our nation. My wife Beverly and I have the highest respect for those who serve in uniform, and I appreciate and honor all the men and women who have served, and continue to serve, in defense of freedom. Recalling our national anthem, to our veterans and Armed Forces, I say, we would not be "the land of the free" were we not also the "home of the brave."

Mr. Speaker, My colleagues and I want to express our thanks and appreciation for the special contribution Commander Rhoden has made to the United States Navy. We wish him and his family continued success and the traditional naval wish of "Fair winds and Following seas" as he closes out his service to the Congress and continues toward the pinnacle of Naval service, command at sea of a United States warship.

PERSONAL EXPLANATION

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. HOLT. Mr. Speaker, I want to explain why I voted against the Rapid Acquisition Authority for Combat Emergencies Bill (H.R. 4323), when it was added to the suspension calendar for a vote earlier this week.

During the past year, we have seen repeated examples of waste, fraud, and abuse in contracts awarded by the U.S. Defense Department to the Halliburton Corporation and other military contractors that have poorly served our troops and the American taxpayers. Not only do I lack confidence that such procurement sloth has stopped, those of us in Congress who have called for in-depth congressional investigations have been stonewalled.

In light of this dismal track record, Congress should not open the door even wider and provide even greater authority for the Pentagon to award lucrative contracts to contractors without competition and with even less scrutiny and congressional oversight. Nevertheless, H.R. 4323 would waive existing safeguards against war profiteering and other contract abuses.

Congress is already moving to authorize and appropriate up to \$1.2 billion to provide additional equipment for our troops in every instance where critical shortages have been identified. That is one of the important reasons why I voted in favor of the FY 2005 Defense Authorization Bill, when the House passed it last month.

Finally, the supporters of this bill claim it is needed to cut through existing, cumbersome Pentagon acquisition regulations to respond to urgent needs of our troops in combat emergencies. But there is mounting evidence to the contrary. I believe the equipment shortages among some of our troops in Iraq during the past year resulted from poor pre-war planning and serious miscalculations in the Pentagon by the architects of Operation Iraqi Freedom. Quite simply, U.S. Army war planners didn't issue enough purchase orders, before the invasion of Iraq was launched, to ensure that all of our troops on the ground in Iraq had what they needed during the conventional combat phase of this conflict. Those mistakes and the equipment shortages they caused became even more costly since President Bush announced the end of combat in Iraq on May 1, 2003, and the nature of the military threat changed and the armed insurgency expanded. This Congress should act to address those mistakes, not use them as an opportunity to hand out more no-bid contracts.

I believe H.R. 4323 could actually make a bad situation worse.

IN HONOR OF EDWARD LICHT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. KUCINICH. Mr. Speaker, I rise today in tribute to Mr. Edward Licht, Bailiff for the Garfield Heights Municipal Court, as he is being honored as the Regional Court Officer of the Year by the Ohio Bailiff and Court Officers Association.

A life-long resident of Cuyahoga County, Mr. Licht served as a Special Agent with the U.S. Treasury Department for twenty-five years. During his tenure as Special Agent, Mr. Licht assisted in the investigation, apprehension and conviction of criminals involved in major gambling, illegal drug and money laundering operations. For his invaluable service, Mr. Licht was honored with several awards, includ-

ing two Special Achievement awards, One Superior Service award, and an Honorable Mention for Outstanding Community Service award. Since 1999, Mr. Licht has held the position of Bailiff with the Garfield Heights Municipal Court. His unwavering integrity, outstanding communication abilities and strong work ethic continues to uplift all facets of this regional court system.

Beyond his significant professional contributions, Mr. Licht continues to volunteer his time and talents within our community. He continues to be an active member of the Democratic Party within our community. A long-time member of the Cuyahoga County Democratic Party, Mr. Licht currently serves as Deputy Treasurer. He has also been very active in the Independence Democratic Party for many years, as a member and an officer. Moreover, Mr. Licht continues to make an impact upon the lives of many as a volunteer probation officer with the Bedford and Garfield Heights court systems. His positive outlook and kind nature, combined with his sense of compassion and wonderful sense of humor, continuously serves to uplift those around him.

Mr. Speaker and Colleagues, please join me in honor and recognition of Mr. Ed Licht, upon being selected as the Regional Court Officer of the Year. Mr. Licht's professional contribution to our federal and regional justice system—reflected by strong ethics and a high level of integrity, continues to be significant and invaluable. Moreover, Mr. Licht's concern for his community and commitment to the democratic process continues to instill strength and integrity throughout the Democratic Party, and serves to strengthen our entire community.

HONORING EXEMPLARY EDUCATOR KATHY PUTMAN

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. STARK. Mr. Speaker, I rise today to recognize Kathy Putman, an exemplary educator, who is retiring after forty years in the classroom at John F. Kennedy High School in Fremont, California. Immediately after graduating from San Jose State University, Kathy's career in education began at Kennedy High School.

She was among the first instructors when the new high school was opened in 1965. Teaching Government and Economics to high school seniors at Kennedy High School is the only job Kathy has ever had. She was only a couple of years older than her first students. Over the decades, she has taught many children of former students in her class.

For years Kennedy High School had a contest for "Most Popular Teacher." Kathy won so often the contest was discontinued. Each year her yearbook is filled with the penned thoughts of adoring students. Thousands of young Fremont students have passed through her classroom where the walls are covered with photographs and notes from former students. Assuming Kathy had 200–300 students a year, for 40 years, this adds up to between 8,000–12,000 students she has touched during her career.

I, along with former Congressman Don Edwards, California Attorney General Bill Lockyer

and a host of political and civic leaders have been privileged to speak to students in Kathy's government classes. She was a true believer in exposing her students to firsthand experiences in government. She encouraged student involvement and referred her students to my office for internships.

I have never met a more experienced, committed or enthusiastic teacher. Kathy is a model for all educators to follow. I commend her on her 40 years of outstanding service. Kathy has left an indelible mark on her students and the community of Fremont and her contributions will be long remembered and felt with utmost respect.

CREATION OF THE FHA

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. FRELINGHUYSEN. Mr. Speaker, 70 years ago this month, Congress approved the National Housing Act that created the Federal Housing Administration (FHA) and President Roosevelt signed into law on June 28, 1934.

The value of FHA can not be overstated. For decades it has insured mortgage loans to help over 33 million families own their own home. The FHA has continuously been a critical resource in helping make home ownership available and more affordable. In fact most recent data shows, the nation's homeownership rate soared to an all time high of 68.1 percent. I have long been a supporter of the FHA program and believe that it is critical for unlocking the door to homeownership for so many Americans.

Mr. Speaker, my Congressional district has the unique distinction of being home to the first FHA Insured Mortgage approved for a home in the United States.

Let me take you back to the 1930's. Our country was in the midst of the Great Depression. It is estimated that in 1933 there were 1,000 foreclosures per week! In my home state of New Jersey homeownership rates were declining. In fact, between 1930 and 1940 they fell 9 percent. A loaf of bread cost about nine cents and a dozen eggs went for 27 cents. In Morris County, the average rental paid \$55 a month for a large house.

Mr. Speaker, it was during this economic climate that President Roosevelt signed the National Housing Act into law with the intention of broadening home ownership, protecting lending institutions and stimulating the economy.

James A. Moffett was appointed the first FHA Administrator and it is under his leadership that on December 18, 1934, the Newkirk family received the first FHA Mortgage for the completion of construction of their house at 30 Hopper Avenue in Pompton Plains, Morris County, New Jersey.

Pompton Plains is located in the Eastern part of Morris County and is part of Pequannock Township. At that time, Pequannock was 7 square miles of land, had 2,104 residents and was comprised mostly of farmland and apple orchards. Today Pequannock Township is home to approximately 14,000 residents.

Mr. Newkirk purchased the land at 30 Hopper Avenue and built a home for his wife, son

and himself. It is estimated that the land and house cost just under \$10,000. The FHA loan, at \$4,800 covered approximately 50 percent of the cost of the house.

Since the house was built, it has changed hands three times and is now owned by Trevor and Catherine Smallwood who purchased it on July 3, 2003 for \$470,000.

Today this house still stands at 30 Hopper Avenue. While 70 years have passed the house looks much the same, a structure rich in history, standing for the dream of homeownership, a dream that we continue to work to ensure every American can achieve.

Mr. Chairman, I ask you to join me in recognizing and celebrating this truly historic house and all that it stands for.

FEDERAL, STATE AND LOCAL PLANNING SAVED 100,000 LIVES IN CALIFORNIA WILDFIRE

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. LEWIS of California. Mr. Speaker, I have already asked my colleagues today to recognize the bravery of firefighters who saved 40,000 homes in last year's devastating wildfires. But I would now like to also pay tribute to an unprecedented effort at planning and organization by federal, state and local officials that allowed the evacuation of 100,000 people threatened by fire—without a single injury or a major hitch!

Many of the heroes of this planning effort were on the front lines fighting the Old Fire, which eventually burned 91,000 acres and destroyed nearly 1,000 homes in October 2003. But their work to avoid a devastating loss of life began more 18 months earlier with the formation of the Mountain Area Safety Task Force, known throughout the San Bernardino Mountains as the MAST.

San Bernardino National Forest Supervisor Gene Zimmerman initiated the formation of the MAST to deal with an on-going crisis: the death of more than 5 million trees because of drought and attacks by pine bark beetles. The forest, which is largely in my 41st Congressional District, is one of the most urbanized and heavily used in the nation, with nearly 100,000 residents and visitors living amongst the trees. The chance for a devastating fire is overwhelming, and it will take many years and hundreds of millions of dollars to eliminate the danger.

It became clear that the task of restoring the forest—and avoiding the loss of thousands of lives in a fire—would require the coordinated efforts of the Forest Service, the state Department of Forestry and Fire, San Bernardino County Fire Department, and dozens of local fire departments, community groups and businesses. Such a coordination effort had never been undertaken on such a comprehensive scale, and the organizational hurdles alone were daunting.

But the mountain communities, while divided into dozens of small pockets by geography, are populated by people who look out for each other, and who are united in their devotion to the forest. Hundreds of residents turned out for every informational meeting, and officials from agencies at all levels made the coordination of effort their top priority.

With the substantial help of the geographic information systems company ESRI, the MAST established elaborate plans on how to evacuate residents along the few main highways that snake through the forest. Dozens of community meetings were held, and residents had access to an Internet Web site created free-of-charge by ESRI that provided even more detailed information.

When the Old Fire struck in October 2003, our worst fears seemed about to be realized. The fire appeared to be unstoppable before it reached the stands of dead trees. Within a day, the order went out to evacuate, even as the firefighters made valiant stands to stop the fire along the evacuation routes. The success of the planning process was soon clear: No one was injured in the evacuation. Although six deaths were attributed to the fire, none of our residents were caught in their homes like those who suffered tragic deaths in San Diego County.

Mr. Speaker, the MAST continues to meet and plan for the restoration of the forest and the upcoming fire season. While some progress has been made in reducing the number of dead trees, the fire danger remains high. Thanks to the extraordinary efforts of this group, I am confident that we will be prepared to meet that danger.

The members of the MAST—represented by Supervisor Zimmerman and San Bernardino National Forest Staff Director Doug Pumphrey—will be honored this Friday with a U.S. Department of Agriculture Honor Award. This award is without question highly deserved, and I ask my colleagues to join me in congratulating and thanking those who took part in this life-saving effort.

INTRODUCTION OF THE GERIATRIC AND CHRONIC CARE MANAGEMENT ACT OF 2004

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. GREEN of Texas. Mr. Speaker, I rise today to introduce the Geriatric and Chronic Care Management Act, an important piece of legislation that would authorize Medicare coverage of geriatric assessment and care management for eligible Medicare beneficiaries.

Americans are living longer than ever, with the average life expectancy rising to 80 years-old for women and 74 years-old for men. While this is a positive development, there are costs associated with the aging of America. As seniors live longer, they face greater risks of disease and disabilities, such as Alzheimer's, diabetes, cancer, stroke and heart disease.

Geriatricians are physicians who are uniquely trained to help care for the aging and elderly. By promoting a comprehensive approach to health care, including wellness and preventive care, geriatricians can help seniors live longer and healthier lives.

It is critical that our nation have a sufficient number of geriatricians to help manage the aging of the baby-boom generation. Unfortunately, there are currently only 9,000 certified geriatricians, and that number is expected to decline dramatically in the coming years. Of the approximately 98,000 medical residency and fellowship positions supported by Medicare in 1998, only 324 were in geriatric medicine and geriatric psychiatry. The Alliance for

Aging Research estimates that the U.S. will need approximately 36,000 geriatricians to counter the aging population.

However, significant barriers exist that prevent physicians from entering geriatrics. A MedPac survey found that Medicare's low reimbursement rates serve as a major obstacle to recruiting new geriatricians. Due to their higher level of chronic disease and multiple prescriptions, seniors require additional care to ensure proper diagnosis and treatment. Medicare's reimbursement rates do not factor the complex needs of elderly patients. Because geriatricians treat seniors exclusively, they are especially affected by Medicare's low reimbursement rates.

The legislation I am introducing today would remedy this problem, so that Medicare beneficiaries can more effectively manage their chronic diseases. The Geriatric and Chronic Care Management Act would utilize the existing Medicare fee-for-service system to provide a new, limited assessment and care management benefit to beneficiaries with multiple chronic conditions. I urge all of my colleagues to join me as cosponsors of this important legislation.

PERSONAL EXPLANATION

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. BERMAN. Mr. Speaker, I was unavoidably detained and unable to cast several rollcall votes. Had I been present, I would have voted "no" on rollcall No. 286, "no" on rollcall No. 287, "yes" on rollcall No. 288, "yes" on rollcall No. 289, and "yes" on rollcall No. 290.

REGARDING THE SECURITY OF ISRAEL AND THE PRINCIPLES OF PEACE IN THE MIDDLE EAST

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Ms. LEE. Mr. Speaker, as always, I remain steadfastly committed to the security of Israel, the safety of its citizens and its right to exist. I am unable to support this resolution, however, because I believe it will contribute to further instability in the region. Further, it will not successfully resolve the underlying conflict. I strongly believe in Israel's right to exist and I have been and remain committed to the two state solution set forth in the Roadmap for peace; as former Prime Minister Rabin said: You must make peace with your enemies, not your friends. One cannot impose peace through unilateral actions.

Sadly, Mr. Speaker, the resolution before us deviates from that Road Map. It does so in a manner that is not calculated to end the violence against Israelis. It does nothing to promote meaningful negotiations, and further undermines the role of the United States as an honest broker—our most important role. It is not for Congress—or for the Administration—to prejudge or predetermine the question of Israeli settlements or the final borders envi-

sioned by a final status agreement; that issue should be negotiated by the Israelis and Palestinians. For these reasons, I am unable to support this resolution. I fear that the policies it reflects will lead to greater harm and not to a resolution of the conflict—nor safety for civilians—that its sponsors may believe.

TRIBUTE TO SCOTT LILLY

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. YOUNG. Mr. Speaker, I rise today to pay tribute to a dedicated public servant. Scott Lilly has spent 31 years serving the House of Representatives. Scott's career in Congress started in 1973, coincidentally, the same year I was appointed to the Appropriations Committee. While he has held many distinguished positions during his long tenure in the House, most of his time was spent working in some capacity for the House Appropriations Committee.

Scott started and ended his career working for my friend and Ranking Member, DAVID OBEY. He had a brief tenure as the Clerk and Staff Director of the House Appropriations Committee and has spent the last nine years as director of the minority staff of the committee.

Scott is an unapologetic liberal and we have vigorous debates and differences in our committee. But Scott never allowed a political dispute to become personal. We could have a knock down drag out fight in committee and after it was over Scott and the staff from both sides of the aisle would retire to the Committee's appointed space and enjoy an adult beverage. There was never any lingering ill will or hard feelings.

Scott is a consummate professional. His knowledge and expertise of appropriations matters is rivaled by few. He is a shrewd floor tactician and legislative strategist. Scott will now be able to spend more time in the academic world, a world where he is able draw on his great intellect and wealth of Congressional experience. Our loss is his students' gain. Every class he teaches will be enriched by his thoughtful consideration of complex political and policy questions.

Scott will be sorely missed. I can say with confidence that he will not miss our long markups, our late night conferences and the marathon sessions on the floor. He is a great patriot, a great public servant and a great appropriator. I wish him all the success in his future endeavors.

IN HONOR OF OUR UNITED STATES VETERANS AND THE WESTSIDE VETERANS CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of all veterans of the 10th Congressional District of Ohio—for their service, bravery, and dedication on behalf of our country. Most significantly, we stand in

tribute and remembrance of those veterans who have made the ultimate sacrifice when they answered the call to duty.

The lives of many veterans and their families have been uplifted by the outreach efforts of the Westside Veterans Center—a haven of services, programs and assistance focused on the psychological, medical and economic needs of more than 44,000 veterans who live in the 10th Congressional District of Ohio. The Westside Veterans Center, located in Parma, Ohio, celebrated the opening of the McCafferty outstation in 1998. The McCafferty Outstation remains focused on addressing the needs of Hispanic American and African American veterans who live within our Westside communities. Reflective of their commitment to serve our diversified community, the Westside Vet Center and McCafferty Outstation both employ bilingual staff.

The services provided by the Westside Veterans Center and the McCafferty Outstation Center is the least we can do on behalf of our veterans—our brothers, sisters, sons and daughters, mothers, fathers and grandfathers—thousands of whom have made significant sacrifices and suffered great losses during and after their unwavering service to our country.

Mr. Speaker and Colleagues, please join me in honor, tribute and gratitude to the men and women of our armed forces—let us forever remember their service, sacrifice and sense of duty—yesterday, today, and for generations to come.

HONORING THE BASKING RIDGE FIRE COMPANY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor The Basking Ridge Fire Company No. 1, of Bernards Township in Somerset County, New Jersey, a vibrant community I am proud to represent! On June 26, 2004 the good citizens of Basking Ridge are celebrating the Fire Company's Centennial Anniversary with special festivities and a parade.

For one hundred years, the Basking Ridge Fire Company No. 1 has been protecting and serving the residents of their community. The initial impetus to start a volunteer fire company in 1904 came from a spectacular barn fire and the opening of a new school. The Wickenhaver barn burned while residents watched, helpless to do anything to quench the flames. Four horses lost their lives and the influential people in town took notice of how ill prepared they were to deal with fire. The new school had just opened on Maple Avenue, and that also increased the importance of having the ability to deal with fire. Charles Wickenhaver's descendants still serve as active volunteers with the Fire Company.

A committee to establish a volunteer fire company was assigned and met on June 17, 1904. They established the general goals and objectives of the organization and determined what was necessary to get started. The following week, on June 24, 1904, they chartered the Basking Ridge Hose Company. Early actions included establishing committees to research buying or making firefighting equipment

such as wagons, ladders, and lanterns. Each member paid dues to fund the organization. They also elected the first officers of the company; Chief Walter Allen, Treasurer Charles M. Allen, Secretary Raymond A. Henry, Warders Harry W. Bennett and Frank S. Happe.

Membership requirements were simple and reflected the physical challenges of firefighting and the social mores of the times. Members needed to be men between the ages of 18 and 45, in good health, and to live within one and a half miles of the village green. Members were called to action by the ringing of the church bell in the Presbyterian Church and had to live close enough to hear the bell and respond quickly.

The first piece of apparatus for the new Hose Company was a hand pulled hose cart and 500 feet of hose donated by the Basking Ridge Improvement Society. The Fire Company proudly displays this hose cart at special events and gatherings. Soon after, the Company approved the purchase of fabric fire buckets for 5 cents each and the construction of several ladders and a cart upon which to carry the ladders and buckets. Lumber and materials for the construction of the ladders and cart were donated by M.F. Ellis, Robert C. Bishop, and David Y. Moore.

In 1906, the Basking Ridge Hose Company incorporated under the laws of New Jersey as a volunteer Fire Company, renaming itself the Basking Ridge Fire Company No. 1, Inc. Men and horses pulled the equipment to fire scenes until the first motorized fire apparatus was purchased in 1911. Basking Ridge's first fire truck was a Moline Motor Car, a 40 horsepower contraption that carried six men. The first Fire House was built by resident volunteers at the corner of Henry and South Maple in 1905 at a total cost of \$600. It was replaced by a brick structure in 1915.

The Basking Ridge Fire Company No. 1 has grown over the years to meet the changing demands of the town and to incorporate the newest firefighting and lifesaving technologies. In 1985 the company moved into a new headquarters at 30 Washington Avenue. The Company operates three fire engines (purchased in 1986/97, 1992 & 2003 respectively) a heavy rescue truck (acquired in 1997), and increased from one to two ambulances in 1988. The entire roster numbers over fifty people although only approximately 35 are active firefighters/EMTs. The Company remains all-volunteer and responds to over 900 requests for help, fire and first aid, a year as well as serving at numerous civic events.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the volunteers of the Basking Ridge Fire Company No. 1 on the celebration of 100 years of a rich history in the protection of one of New Jersey's finest municipalities.

A TRIBUTE IN HONOR OF 2004
LEGRAND SMITH OUTSTANDING
TEACHER AWARD WINNER MELISSA
SOUVA OF BRONSON,
MICHIGAN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. SMITH of Michigan. Mr. Speaker, education is the key to our Nation's future prosper-

ity and security. The formidable responsibility of molding and inspiring young minds to the avenues of hope, opportunity and achievement partially rests in the hands of our teachers. Today, I would like to recognize a teacher from Bronson, Michigan that significantly influenced and motivated exceptional students in academics and leadership who were winners of the LeGrand Smith Scholarship.

Melissa Souva teaches Agricultural Science at Bronson High School in Bronson, Michigan. She is credited with instilling in students an enthusiasm for not only these subjects, but also for life. As one of her students, Bobby Jo Ludwick said, "Mrs. Souva has taught me the importance of good leadership and community service. The self-confidence that I've gained from her support will play a role in my life everyday. She has taught me that I can make a difference. I thank her for making a difference for me." The respect and gratitude of her students speaks well of Melissa's ability to challenge young minds and encourage them to always put forth their best effort.

Melissa Souva's extraordinary work as a teacher has challenged and inspired countless students to move beyond the teenage tendency of superficial study and encourage them to foster deeper thought and connections to the real world. Arguably, no profession is more important because of its daily influence upon the future leaders of our community and our country, and Melissa's impact on their students is certainly worthy of recognition.

On behalf of the Congress of the United States of America, I am proud to extend our highest praise to Melissa Souva. We thank her for her continuing dedication to teaching and her willingness and ability to challenge and inspire students to strive for success.

COMMENDING DR. LARRY MILLER
ON HIS OUTSTANDING SERVICE
TO HIS COMMUNITY AND UPCOMING
RETIREMENT AS SUPERINTENDENT OF MILLVILLE
PUBLIC SCHOOLS

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. LoBIONDO Mr. Speaker I rise today to commend Dr. Larry Miller on his long and distinguished service to his community, and congratulate him on his upcoming retirement as superintendent for Millville Public Schools on July 1, 2004.

Dr. Miller has been a strong advocate for the educational community of Southern New Jersey for the past forty-one years. He personally has given his time and energy to better the educational system on behalf of his students. I am happy to say that Dr. Miller's leadership and tireless advocacy were recognized recently when he was chosen as the New Jersey Superintendent of the Year for 2004. His hard work has set a high standard for all educators and community leaders to follow.

Dr. Miller rose up through the ranks of the Millville Public Schools, and has left a trail of positive change and enthusiastic accomplishments. I would like to congratulate Dr. Miller, and thank him on behalf of the people and students of New Jersey's Second Congress-

sional District for a job well done. I hope he enjoys every bit of his retirement, he certainly deserves it.

TRIBUTE TO SERGEANT MAJOR
RALPH GUERRERO, JR.

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to Sergeant Major Ralph Guerrero Jr. who on June 24, 1974, enlisted in the United States Marines Corps and will officially retire today after 30 years of honorable and distinguished service. Sergeant Major Guerrero leaves the Marines Corps as one of the most respected and accomplished member of our armed forces.

A native of San Fernando, California, Sergeant Major Guerrero was born on July 14th 1956, and graduated from San Fernando High School in June 1974. Sergeant Major Guerrero and his wife Silvia P. Gomez have a son, Ralph III, and a daughter, Chyenne. Sergeant Major Guerrero is the quintessential local success story.

After he graduated from the Marine Corps Recruit Depot, San Diego, CA and completed Infantry Training School at Camp Pendleton, CA, Sergeant Major Guerrero embarked on a successful Marine Corps career. From his participation in the evacuation of South Vietnam and Cambodia; to his amphibious reconnaissance training; to his assignment to Marine Corps Recruit Depot San Diego California, where he served as a Drill Instructor, Senior Drill Instructor, Chief Drill Instructor and was meritoriously promoted to Gunnery Sergeant; Sergeant Major Guerrero has proven himself a critical team player.

Sergeant Major Guerrero's leadership and expertise were vital to the Marine Corps during his deployment to El Salvador as an Advisor to a Battalion of Salvadorian Marines. During his subsequent deployments, including: Operation Desert Shield, Operation Desert Storm, Operation Sea Angel, Operation Restore Hope, Operation Noble Eagle and his visits to Marines in Afghanistan and Uzbekistan in support of Operation Enduring Freedom his contributions were invaluable. His exemplary leadership skills proved critical to the Marine Corps during his tour of duty at Headquarters Battalion, Headquarters Marine Corps, where he served as the Command and the Military District of Washington Sergeant Major. During this tour, Sergeant Major Guerrero was a member of the FY99 E-8/E-9 selection board, Chairman Senior Enlisted Advisory Community for USO, a member of the Board of Director's for USO and Navy Marine Corps Relief Society, and a member of the Foreign Joint Services NonCommissioned Officer Associations.

In July 1999, Sergeant Major Guerrero was assigned to a Major Marine Corps command, as the Sergeant Major for Marine Corps Air Station, Iwakuni Japan. In 2001, he was assigned as the Sergeant Major for the 1st Marine Aircraft Wing. These important assignments were evidence of the great respect and trust he had earned.

Sergeant Major Guerrero is deservedly highly decorated. He has earned the Legion of

Merit, the Meritorious Service Medal with 2 Gold Stars in lieu of 3rd Award, the Navy Achievement Medal with Gold Star in lieu of 2nd Award, the Presidential Unit Citation, the Combat Action Ribbon with 4 gold stars in lieu of 5th Award, the Korean Defense Service Medal, the Military Outstanding Volunteer Service Medal with Bronze Star in lieu of 2nd Award, the Vietnam Service Medal with bronze star in lieu of 2nd award, the Southwest Asia Service Medal with 3 bronze stars in lieu of 4th award, the Kuwaiti Liberation Medal and various Unit Awards.

Sergeant Major Guerrero has worked to raise the public's awareness of the many contributions the military makes to the local community. He has also committed himself to working with schools to help increase appreciation for our armed forces among school children.

It is my distinct pleasure to ask my colleagues to join me in saluting Sergeant Major Guerrero for his distinguished 30 years of service to country, to congratulate him on his retirement and to wish him the very best in the years ahead.

60TH ANNIVERSARY OF THE
ENACTMENT OF GI BILL

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mrs. MCCARTHY of New York. Mr. Speaker, sixty-years ago today, President Franklin Roosevelt signed into law the Servicemen's Readjustment Act of 1944, known thereafter as the GI Bill.

This piece of legislation promised those who served their country an education, aid in finding employment, help toward home ownership, and proper healthcare. What President Roosevelt accomplished in his four terms in office was extraordinary; the effects of which are still felt today. High among this list of accomplishments is the signing into law of the GI Bill, with which President Roosevelt rewarded this country's heroes by educating, aiding and caring for them.

In the six decades since the GI Bill's inception, large numbers of troops have been sent to the beaches of Normandy, the Sea of Japan, Korea, Vietnam, the deserts of the Gulf and the Indian peninsula. What remains is sixty-years of sacrifice and battle scars, each a distinct imprint of the high cost of democracy and independence.

To repay their efforts, we have granted stipends for their college education and doctors for their wounds, offered them aid in housing and provided training for jobs. We have dedicated millions of dollars toward programs geared to enhance their lives through knowledge, healthcare and job growth. Still, the trade-off will forever remain wanting.

Countless young men and women enter into the armed services every year. My state of New York is home to over 1.2 million veterans, with another 26,000 servicemen and women on Reserve and Active duty and over 4,000 enlisted with the National Guard. It is for these honorable adults and those across the nation that we pledge to fund and aid the programs created sixty years ago. These national heroes have defended the freedoms enjoyed

by every American citizen from the time of the Revolutionary War. There are millions of men and women who rely upon this, risk life and limb, and make the commitment to our country and fellow citizens.

It is distressing that this occasion be marked with such unfortunate and ironic efforts to lessen the GI Bill. This as a day meant for respectful remembrance, to all that has been and will be accomplished by those who served in combat. I see a tremendous amount to be proud of in this bill, what it stands for and what it means for all Americans. Sixty years ago, this country invested a great deal into this bill. I believe what we received in return can be measured in far more than dollar signs.

Despite our best intentions, we as Americans find ourselves asking for the same sacrifice from our young men and women as our relatives did six decades prior. 1944 was a year worn by war. Sadly, 2004 will be as well. The service men and women earned the title "greatest generation", from the sacrifice of World War II. The contributions of today's men and women will one day merit such praise as well; praise that can now be enhanced and aided by the continued emphasis in favor of the same GI Bill that aided to the success of the generations since 1944.

HONORING LIEUTENANT JAMES P.
LEARY

HON. JOSEPH M. HOFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. HOFFEL. Mr. Speaker, I rise today to honor Lieutenant James P. Leary who is celebrating his retirement from the Abington Police Department after nearly 30 years of faithful and devoted service.

Lt. Leary has served in many different capacities during his tenure on the Abington force, working as Watch Commander, Platoon Commander, K-9 Commander, and Auxiliary Service Commander. After joining the department in 1974, he quickly ascended the ranks, receiving a promotion to Sergeant in 1979 and then to Lieutenant in 1981.

His dedication to the community has never faltered, even during his toughest assignment in 1996. In that year, Abington Township fell victim to a severe flood and Lt. Leary worked tirelessly with residents, community leaders, and municipal government agencies to help the area recover. Lt. Leary faced another difficult challenge when he and five patrol officers rescued two severely burned children from a burning building. Bringing those children to safety has been the proudest accomplishment of Leary's career.

In addition to his service to the Abington community as a member of the Police Department, Lt. Leary served his country as a Sergeant in the 5th Special Forces Airborne in Vietnam. He and his wife Martha are the proud parents of four sons and two daughters. Lt. Leary actively participates in the community, where he enjoys spending time with family and friends, and has served for 15 years as the Defensive Coordinator and League Commissioner for the CYO Football Program.

Our community has been privileged to have such a devoted servant and it is my pleasure

to congratulate Lieutenant Leary on his retirement. I wish him all the best as he moves on to his new position as Chief of the Rockledge Borough Police Department.

THE FISHERIES MANAGEMENT
REFORM ACT OF 2004

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. RAHALL. Mr. Speaker, as Ranking Member of the Committee on Resources, today I am introducing a bill that would bring the management of our Nation's ocean fisheries into the 21st century. In this regard, I am pleased to note that the "Fisheries Management Reform Act of 2004" is being introduced with 15 original cosponsors including the gentleman from California, SAM FARR, who serves as co-chair of the House Oceans Caucus.

For my part, I am introducing this measure for two fundamental reasons. First, I believe that we have a responsibility to ensure that our fish stocks—a public resource that belongs to all Americans—will be managed sustainably and based on science, not politics. More importantly, because without sustainably managed fisheries, there will be no fishing industry at all. I do not come to this point lightly, and I appreciate the importance that this issue holds for many Members and their constituents.

As it stands, two separate and well-respected commissions—the U.S. Commission on Ocean Policy and the Pew Ocean Commission—were both charged with reviewing our ocean management systems and both made recommendations regarding the need to reform our fisheries management system. Their reports represent several years of research by ocean experts who traveled to coastal communities dependent on commercial and recreational fishing. The Fisheries Management Reform Act of 2004 represents the first legislation proposed to implement those expert recommendations. This is a small step of many that we, as Congress, can take to remedy a system of governance that has not done enough to protect our oceans and, consequently, the communities that depend on them.

In this regard, the "Fisheries Management Reform Act of 2004" would require a broader public interest representation on the Regional Fishery Management Councils, the bodies that are stewards of our Nation's fisheries and are currently dominated by commercial and recreational fishing interests. I am aware of no other public trust resource where management decisions are being made by the very industry that is to be regulated. The bill would require training of all appointed members in fishery science and basic stock assessment, social science and fishery economics, and the legal requirements of the Magnuson-Stevens Act, the National Environmental Policy Act, and other pertinent laws. Not only will these two provisions diversify the interests on the Council, but also ensure that those appointed are knowledgeable about fisheries management.

Second, the bill would strengthen current conflict of interest provisions in the Magnuson-Stevens Act. An individual would not be allowed to vote on a Council decision affecting

their financial interests. Understanding the unique nature of fisheries management, I fully support and appreciate the participation of fishermen in the Council process. In instances where fishermen, commercial or recreational, are faced with decisions affecting their livelihood and simultaneously, the sustainability of the fishery, the current process puts these individuals in the compromised position of serving two masters. Generally, it is the fish stocks that pay the price.

This legislation also would ensure science-based management of our fisheries. By allowing scientists to recommend appropriate catch limits and the Councils to determine how that catch should be allocated, this bill would remove council members from that untenable position of choosing between the health of the resource and catching enough fish to pay their health insurance. Scientists are better suited for determining sustainable harvest levels, while fishermen, who will remain an integral part of the Council process, should not have to be experts on the vast complexities of ocean science. Their expertise can be used best in managing and allocating the resource, and in developing improved fishing methods and technologies, without also being responsible for the status of the stocks.

Not the timber industry, not the mining industry—as a matter of fact, no other industry I can think of is allowed to regulate itself like the fishing industry does. This system may have made sense when Congress first put it in place more than two decades ago, but it's clear now that a chronic condition of conflict of interest has created a system that is not working for fishermen or for the fishery resources. In fact, 76 stocks are overfished—over 35% of known stocks.

I do not assume that this bill alone will “fix” in its entirety the current system. The U.S. Commission on Ocean Policy was clear that changes are urgently needed. This bill addresses just one of many problems plaguing ocean resource management. However, the principles of the bill—to manage fisheries for the public good, to reduce financial conflicts of interest, and to ensure that fisheries management is based on the best available science—are indisputable.

I urge my colleagues to support this bill in a bipartisan fashion. The fish do not vote, so I can not offer them as political capital. But if this bill were enacted, we will be better able to ensure sustainable fisheries on a continuing basis, as is required by law, but all too rarely accomplished under the current system. The long-term benefits would affect the constituents of every district in this country. Fishermen would be able to pass on their trade to their children. Our inland states would enjoy more fresh seafood caught in our domestic waters. And everyone would be able to catch a big one on their summer vacation.

HONORING SERGEANT DAN COHEN

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. STARK. Mr. Speaker, I rise today to recognize Sergeant Dan Cohen's retirement from the Newark, California Police Department, and to honor his 30 years of exemplary service in the field of law enforcement.

After completing two tours of duty in Vietnam, Sgt. Cohen's law enforcement career began in April 1972, when he served as a Deputy Sheriff for the Mineral County Sheriff's Department. He worked as a Deputy Sheriff until February 1973. In September 1974, Sgt. Cohen was hired as a Railroad Police Officer for the Southern Pacific Transportation Company where he worked until April 1980.

Sgt. Cohen began his employment with the Newark Police Department in May 1980. He worked in various capacities on the police force, including Patrol Sergeant, Administrative Sergeant, Detective Division Sergeant, Narcotics/Vice Detective, Homicide Detective and as the Hostage Negotiation Team Leader. Dan was also a member of the SWAT Team and a Range Master.

It is my honor to recognize Sergeant Dan Cohen's remarkable career in law enforcement. He has demonstrated his commitment, leadership, and courage and leaves a lasting impression with the community and his colleagues as an outstanding member of the Newark Police Department.

RECOGNIZING LOU COSTANTINO, SR.

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. BACHUS. Mr. Speaker, I rise today to recognize a valued employee of this House of Representatives, during this time of his recovery. Lou Costantino, Sr. was born in a house on New Jersey Avenue just a couple of blocks from the Capitol. His parents ran a grocery store at that time, the same grocery that Lou would begin running shortly after graduation from high school, along with a carry out, barbershop, and cleaners that his parents opened. He operated these businesses until coming to work for the House of Representatives in 1980.

During these early years, Mr. Costantino met his wife Doris while going to Eastern High School on Capitol Hill. They were married in 1965 at St. Peter's Church and have two children, Eydie and Lou. “There's been a Costantino at St. Peter's for 100 years,” he will often remark.

His devotion to family is indicative of the similar commitment he has for this House of Representatives. He first began his career with the House of Representatives in 1980 with the Office of the Doorkeeper and he currently works for the Sergeant at Arms. He truly loves his job, the people around him, and has the utmost respect for the institution that is the U.S. Capitol. In accordance with his post, and owing to the high regard in which he is held, Mr. Costantino has the honor of escorting the first lady to her seat for the State of the Union Address, a task he has accomplished annually for every first lady since Nancy Reagan.

Born just a few blocks away, and having worked in the building for over twenty years, Lou Costantino, Sr. has spent the majority of his life in close proximity to the Capitol building. Mr. Speaker, I ask that we keep him just as close in our hearts and prayers for his speedy recovery. We wish him well, and look forward to his prompt return to the House Floor.

HONORING THE 25TH ANNIVERSARY OF THE MONTCLAIR LIONS CLUB

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to commemorate the 25th anniversary of the Montclair Lions Club No. 36563, located in Prince William County, Virginia.

The International Lions Club is the world's largest service club organization with 1.4 million members in 46,000 clubs in 193 nations. Since 1917, the International Lions Club has been able to touch the lives of countless individuals across the globe. The club's motto, “We Serve” demonstrates the tremendous effort, desire and willingness of volunteers worldwide to better the lives of others through humanitarian efforts. In 1990, Lions established SightFirst, a \$143.5 million global initiative to fight the major causes of preventable and reversible blindness.

Since 1979, the Montclair Lions Club has provided dedicated service to Prince William County, working tirelessly to further the welfare of the community. In its first 25 years the club raised well over a quarter of a million dollars through a wide variety of fundraisers including citrus sales, White Can Day donations, White House Christmas Ornament sales, and food sales. The club has held a golf tournament fundraiser annually with the majority of the proceeds being donated to the Dale City Boys and Girls Club and Action in the Community Through Service.

Montclair Lions Club members donate their time to community service projects including Safety Break, Montclair Property Association events, Habitat for Humanity and many others. These hours of service have enriched innumerable lives in Prince William County and beyond.

Mr. Speaker, in closing, I would like to commend and congratulate the Montclair Lions Club on 25 years of success. They have served the interests of their community well, truly meriting recognition. I call upon my colleagues to join me in applauding the Lions Club's past accomplishments and in wishing the club continued success in the many years to come.

RECOGNIZE AND PRAISE JUAN FONTANEZ

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize and praise a hard-working, talented young man who lives in my Fifth Congressional District.

Juan Fontanez of Pasco County, Florida won the Congressional Art Contest for my district last year, and I was proud to display his piece in the tunnel leading to the U.S. Capitol. His winning piece entitled “Proud Mother” was created entirely in pencil, and caught the eye of everyone who walked by for an entire year.

Juan graduated from Land O' Lakes High School last year and will attend Hillsborough

Community College this coming fall. In addition to winning the Congressional Art Competition, Juan won top honors for costume designing in the Florida State Thespian Competition last year.

After showcasing "Proud Mother" for a year, I look forward to honoring him as the first winner of the Congressional Art Competition since I came to Washington at a ceremony this Saturday.

Mr. Speaker, it is my privilege to represent Juan Fontanez, and I am proud to praise him on the floor of this House.

COMMENDING HOLY SPIRIT HIGH SCHOOL GIRLS VARSITY CREW TEAM ON THEIR SECOND STRAIGHT PEABODY CUP CHAMPIONSHIP AT THE HENLEY REGATTA

HON. FRANK A. LOBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. LOBIONDO. Mr. Speaker, I rise today to congratulate the Holy Spirit High School girls varsity-eight crew team on their second straight Peabody Cup Championship at the distinguished and well known Henley Women's Regatta in Henley-on-Thames, England on Sunday, June 20, 2004. The girls' varsity-eight crew team defeated St. Andrews School by taking a strong lead from the start of the race and pushed on to victory by winning the 1,500 meter race by 1¼ boat lengths in 5 minutes and 11 seconds.

The team is led by Holy Spirit High School coach John Slattery, and was made up of bow Robyn Brennan, Erin Coyle, Kairie Roehill, Kaitlin Grant, Andria Haneman, Kristen Haneman, Jen Maslanka, stroke Teri Francesco, and coxswain Lynn Cassidy.

On behalf of the residents of the Second District of New Jersey, I offer my congratulations to the Holy Spirit High School girls' varsity-eight crew team on their outstanding second straight victory at the Peabody Cup Championships. These young women showed poise under pressure and share our pride in their outstanding achievement.

TRIBUTE TO SCOTT LILLY

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. OBEY. Mr. Speaker, I wanted to take a moment to thank someone who has meant a great deal to the Appropriations Committee, the entire House, and to me.

Earlier this year, Scott Lilly concluded a 31-year career of service in the House of Representatives, mostly recently serving as the Democratic Staff Director of the House Appropriations Committee. Scott's career in the House was marked by dedication, distinction and an eternal sense of duty to serve the American people.

Too often, Members of the House are given all of the credit for what we produce or for the ideas we make real. In fact, the most difficult tasks are often accomplished behind the

scenes by our hard-working staff. Whatever credit I may be due during my service as the Chairman and now Ranking Democrat on the Committee on Appropriations, I must share much of it with Scott Lilly.

Scott first came to the House as a summer intern in 1966. After graduating from college he worked for the Missouri Legislature, spent two years in the United States Army, and in 1971, was central states coordinator for the George McGovern presidential campaign.

My collaboration with Scott first began in 1973 when he joined my staff, working for more than a decade as an associate staff member to both the Appropriations and Budget Committees. In 1985, Scott moved to the Joint Economic Committee, serving as its Executive Director and publishing a number of reports that attracted national attention, including studies on the regional disparities in economic recovery of the mid-1980s, and on the declining earning power of middle class Americans.

In 1988, Scott became the fourth Executive Director of the Democratic Study Group (DSG) serving under Chairmen MARTIN SABO, Robert Wise and Michael Synar. During that period, the DSG played a central role in legislative reform issues within the House Democratic Caucus and provided legislative research to virtually all Democrats and to many Republican members as well.

Following the passing of Chairman William Natcher in 1994, the Democratic Caucus selected me to serve as House Appropriations Committee chairman. I then asked Scott to become the 10th Clerk and Staff Director in the 129-year history of the Committee.

When the Republicans took control of the House the following January, Scott stayed on to serve as the Committee's Democratic Staff Director, a position he held for nine years.

This past January, Scott announced that he would be leaving the Committee. While his service to the House may have ended, his public service has not. Neither has our friendship or my deep respect for Scott. Now, as a part-time professor at the Georgetown University Public Policy Institute, Scott educates a new generation of public servants, who I know will be equal to the task because they are learning from the best. Scott also continues to serve and stand up for progressive principles as a senior fellow at the think tank, the Center for American Progress.

I am hopeful that, in addition to these new duties, Scott will now have the time to enjoy outside pursuits that he could not avail himself of while serving the House. Particularly, I hope that Scott will be able to return to his guitar lessons. As a fellow member of the bluegrass band, the Capitol Offenses, I know that like all of us, Scott might not be able to improve his singing voice, but maybe he can make some progress on his guitar plucking.

Scott Lilly's departure from the House was a significant loss for this institution. I would note with pride that Scott also leaves with many more friends, from both sides of the aisle, than detractors. Throughout his service, Scott always believed that political opponents don't have to be political enemies. That is a belief that is in too short supply in the Congress and in this town, but it is a belief that Scott lived throughout his service.

Congressional scholar Norman Ornstein noted in a Roll Call column last November the reality that "dedicated professionals," like

Scott Lilly, are what makes this institution work. Ornstein wrote of Scott and others like him, "These are people who could leave at any time and command five or 10 times the pay they receive; instead they have provided the long-term glue that keeps Congressional deliberation and institutional memory together." I could not agree more.

For more than 30 years, Scott Lilly has used his great political talent and judgment to serve this institution and this country. Unlike some in this town, he has never forgotten that political talent is wasted unless it is used for a higher purpose. Whether he was working for the McGovern campaign, or running the Democratic Study Group, the Joint Economic Committee or the Appropriations Committee staff, every day he put that talent to work to make this a stronger, fairer, and more decent and humane country. This House has never been served by two finer staff directors working with each, other across the partisan aisle, than Scott Lilly and Jim Dyer.

Through it all, he has been my best friend and my wisest counselor. What more can be said except thank you and Godspeed in whatever comes next.

IN HONOR OF THE AMERICAN ASSOCIATION OF INVALIDS AND VETERANS OF WORLD WAR II FROM THE FORMER USSR

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. NADLER. Mr. Speaker, I rise today to pay tribute to the American Association of Invalids and Veterans of World War II from the former USSR. As members of the Russian army, this group fiercely fought German occupation from 1941 to 1945, and after fighting post-war anti-Semitism in their own country, they immigrated to the New York City area. Tuesday marked the 63rd anniversary of Germany's invasion of the former Soviet Union. Today, I am pleased to welcome them to Washington D.C. as they visit the World War II Memorial, and to honor their contribution in fighting for peace and liberty in Europe.

The group of Russian Veterans I honor today fought in many battles along the Russian front in World War II, and in major battles in Odessa, Moscow, and Stalingrad. As we recently honored millions of brave Americans with the opening of the World War II Memorial, I also recognize this group of veterans for their contribution to the Allied victory. Through their efforts in the Russian armed forces, these soldiers played an important role in defeating the Nazis—a victory which they celebrated in the streets of Berlin alongside American soldiers.

Their common experiences in the war, in its aftermath, and as immigrants to the United States bind them deeply to one another. As The New York Times explained, "As Jews who shared both the deprivations of a brutal war against Hitler's forces and postwar anti-Semitism under a Soviet system they had risked their lives to preserve, their allegiance is not to the former Soviet Union, nor to the Red Army, nor even to Mother Russia, but to one another." Though the association began in 1995 with only 30 veterans, it now boasts 3,000 members in New York.

For their patriotism, for their commitment to freedom and democracy in Europe, and for their unyielding commitment to each other, it is my privilege to honor the American Association of Invalids and Veterans of World War II from the former USSR, and to warmly welcome them to Washington D.C.

TRIBUTE TO U.S. NAVY SEAL
PETTY OFFICER 1ST CLASS
BRIAN OUELLETTE

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. MEEHAN. Mr. Speaker, I rise today to pay tribute to a fallen hero, Petty Officer 1st Class Brian J. Ouellette of Maynard, Massachusetts. He gave his life in service to our country, and we will forever be grateful.

Brian was a U.S. Navy SEAL deployed as part of Operation Enduring Freedom and serving with the elite Navy Special Warfare Group Two based out of Little Creek, Virginia. He died tragically on May 29th along with three of his comrades when their Humvee hit a landmine in the Zabul province of Afghanistan.

Petty Officer 1st Class Ouellette grew up in Waltham, Massachusetts and graduated from Waltham High School in 1985. His parents, Jack and Peg, now reside in the town of Maynard in my congressional district.

A fourteen-year veteran of the Navy, Brian joined the service in 1990 and became a member of the elite SEAL team in 1991. Friends remember him as a great teammate and tough opponent on the football field and a fierce competitor in Kempo-style karate.

Brian's parents are proud, not just for the supreme sacrifice he made on behalf of his country, but for the honor he brought to them as a Navy SEAL and loving son. Despite his tough exterior, Brian's family describes him as compassionate and nurturing brother of seven siblings and uncle to nine nieces and nephews. Brian's family deeply impacted his life, and he left an indelible imprint on them.

Petty Officer 1st Class Ouellette was a brave sailor who gave his life to restore freedom and democracy in the war-torn country of Afghanistan and support the global war on terrorism. It is lives like his, taken too soon, that remind us of the true price of freedom.

I have requested an American flag be flown over the United States Capitol in memory of Brian to honor his brave service to our country. This flag will be delivered to his family.

Brian died fighting for the country he loved, alongside the fellow sailors he respected and with the family he adored forever in his heart. Our Nation is humbled and grateful for his sacrifice.

Mr. Speaker, we should all take a moment to recognize Petty Officer 1st Class Brian Ouellette of the United States Navy SEALs for his ultimate service to our Nation.

HOMEOWNERSHIP BUILDS STRONG COMMUNITIES

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. PORTMAN. Mr. Speaker, June is National Homeownership Month. Stronger families, better schools, and homeownership produce healthy neighborhoods and communities.

When people own their homes, other benefits follow, such as economic security and family stability. Over the years, home values have generally increased, making them a good investment and a great way for families to build up assets that can be used for everyday needs, unexpected setbacks, and even helping to send a child to college.

Neighborhoods where people own homes are more stable. People tend to take better care of property they own and care more about the rest of the neighborhood as well. Homeownership also leads to a more vibrant community because home sales attract grocery stores, restaurants and other small businesses that add stability and job opportunities.

With all these benefits, it is discouraging that there are some areas in our country where the homeownership rate is very low. In my home state of Ohio, the City of Cincinnati's homeownership rate is 39 percent, far below the national average of 68 percent. And even in the rural areas of my district where the percentage of home owners is higher, we are still well below the national average.

Ohio has a shortage of affordable homes in inner-city and rural areas. This is also true in many other states. To help address this problem, Representative BEN CARDIN and I introduced H.R. 839, the Renewing the Dream Tax Credit Act, which is based on a proposal advanced by President Bush. The measure would make a tax credit available to developers or investors that build or rehabilitate homes for sale to low- and moderate-income buyers in these areas. H.R. 839 has the support of nearly 300 House members, and would make it more attractive for developers to create affordable housing in urban and rural areas in which the need is greatest.

Mr. Speaker, when people buy a home, they make an investment in that community. Enacting H.R. 839 will help make homeownership achievable for more Americans.

PERSONAL EXPLANATION

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. KOLBE. Mr. Speaker, yesterday, I missed the vote on agreeing to the Rogers (MI) amendment to H.R. 4548, the Intelligence Authorization Act for Fiscal Year 2005 (#293). I intended to vote "aye."

HONORING FUTURE UNLIMITED AWARD RECIPIENTS

HON. JEB BRADLEY

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. BRADLEY of New Hampshire. Mr. Speaker, I rise today to pay tribute to 17 New Hampshire students who graduated at the top of their high school class and are being recognized for their academic achievements by the Knights of Columbus in Rochester, New Hampshire.

The Rochester Knights of Columbus Council founded the Future Unlimited Banquet in June of 1998 to honor students from the Greater Rochester area who have achieved high levels of scholastic excellence. The "brainchild" of Don Leeman, the banquet honors valedictorians and salutatorians from eight high schools in the region for their academic excellence and contributions to the community. The Council has had much positive feedback from the greater community for their efforts to promote intellectual fellowship, and plan to extend this successful recognition banquet across the state and country.

The students to be honored for their scholastic achievements are:

Bryn Paslawski of Durham, valedictorian at St. Thomas Aquinas High School; Marie Osborn of Portsmouth, salutatorian at St. Thomas Aquinas High School; David Thompson of Kittery, Maine, salutatorian at St. Thomas Aquinas High School; Trevor Sherwood of Barrington, valedictorian at Dover High School; Brittany Soper of Dover, salutatorian at Dover High School; Kristen Couture of Somersworth, valedictorian at Somersworth High School; Danielle Daigle of Rollinsford, salutatorian at Somersworth High School; and Khari Lizotte of Rochester, valedictorian at Spaulding High School.

Kimberly Montini of Rochester, salutatorian at Spaulding High School; Katy Huppe of Farmington, valedictorian at Farmington High School; Casey Raasumaa of Farmington, salutatorian at Farmington High School; Jacqueline Elliott of Milton, valedictorian at Nute High School; Kayla Gagne of Milton, salutatorian at Nute High School; Tonya Prescott of Laconia, valedictorian at Alton High School; Meredith Roy of Alton, salutatorian at Alton High School; Meaghan Maguire of Wolfeboro, valedictorian at Kingswood Regional High School; and, Jamison Costello of Wolfeboro, salutatorian at Kingswood Regional High School.

These 17 students are excellent examples of the hard work, energy and dedication that is necessary to pursuing higher academic goals. They are among the brightest students in the state and offer much hope for the future. They truly exemplify what is good about today's youth. I congratulate all of the students for a job well done, and I also congratulate the members of the Rochester Knights of Columbus for their efforts to recognize outstanding students.

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2005

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 22, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4613) making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes.

Ms. LEE. Mr. Chairman, I rise today in opposition to this bill. National defense is important to all of us. This bill, however, will neither ensure our defense nor promote the general welfare, two of the central obligations of this government.

It is truly mind-boggling, Mr. Chairman, that with just one short hour of debate, this House will pass a bill to spend \$392 billion for the Pentagon's regular budget in FY 2005.

Amazingly, that sum does not include, \$25 billion for the ongoing operations in Iraq and Afghanistan, but we all know that the Administration will be back for more, much more. They are misleading the American public about the price tag of the unnecessary war in Iraq.

Mr. Chairman, the \$392 billion this bill expends is a 7 percent increase over last year's bloated defense budget and comes at a time when federal deficit and large tax cuts have left us with scarce resources. I have to ask: will our education, health care and housing budget receive a 7 percent increase? The answer is NO.

This is an absurd and tragic case of misplaced priorities. And our entire country pays the price. It simply makes no sense to spend our nation's scarce resources on Cold War era weapons systems. It makes no sense to spend another \$9 billion on missile defense, a 17-percent increase over last year. This represents another heavy installment on what may be a bottomless pit of spending.

This spending comes at real costs. To put this in perspective, last year, according to the National Priorities Project, the people of California paid \$859 million in tax dollars that were spent on missile defense.

That money could have paid to allow another 106,000 children to enroll in Head Start. It could have extended healthcare coverage to nearly half a million children. It could have created over 12,000 new units of affordable housing. Or it could have hired nearly 15,000 elementary school teachers. And this year we are spending 17 percent more. That's a misplaced priority. And it is not the ticket to national security.

RECOGNIZING THE SERVICE OF
MAJOR GENERAL WILLIAM G.
BOWDON ON THE OCCASION OF
HIS RETIREMENT**HON. DARRELL E. ISSA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. ISSA. Mr. Speaker, I rise today to honor Major General William G. Bowdon for thirty-

four years of outstanding and dedicated service to the United States Marine Corps and his country. Major General Bowdon will retire from the Marine Corps on July 1.

Graduating from Louisiana State University in 1970, General Bowdon entered the Marine Corps in August and reported to Pensacola, Florida, for flight training. He received his wings at the Naval Air Station in Kingsville, Texas, in February 1972, and reported for flight duty at El Toro, California.

General Bowdon completed F-4 Combat Qualification Training in Yuma, Arizona, in December of 1972. In January 1973 General Bowdon departed for his first Fleet Marine force tour and, following this assignment, served his country as a flight instructor.

In January 1977, General Bowdon received his first overseas assignment in Iwakuni, Japan. He returned to the U.S. the following year to attend Amphibious Warfare School at MCB Quantico, VA.

In August 1982, General Bowdon attended the Marine Corps Command and Staff College in Quantico, VA. After graduation he reported to Marine Training Support Group at the Cecil Field, Florida, Naval Air Station as the Executive Officer.

Major General Bowdon assumed command of VMFA-333 in July 1988 and deployed the "Shamrocks" to the Western Pacific. After this command, Major General Bowdon reported to the National War College at Fort McNair for the training that would prepare him for the great responsibilities our nation was about to entrust in him.

Following graduation then Lt. Col. Bowdon was assigned to the Joint Staff, J-4 Directorate, in the Pentagon in June of 1991. He was promoted to Colonel in August of the following year. In June of 1994 General Bowdon returned to the El Toro Marine Corps Air Station and assumed command of Marine Aircraft Group 11. He was promoted to Brigadier General on October 1, 1996, while assigned as the Assistant Wing Commander of the 2nd Division Marine Aircraft Wing in Cherry Point, North Carolina.

Major General Bowdon assumed the duties as the Commanding General of the Marine Corps Air Station at Cherry Point in April 1998. He served as the Deputy Commander of the Marine Forces Reserve in New Orleans for one year in 1999. After that he went on to command a number of posts before assuming command of our nation's largest West Coast Marine Corps base, Camp Pendleton, on June 24, 2002.

Mr. Speaker, I have the distinct honor and privilege of representing California's 49th Congressional District, the home of the Marines of the 1st Division based at Camp Pendleton. For the past two years, I have also had the honor of working with General Bowdon during the one of the most significant times in the history of the U.S. Marine Corps' storied First Division.

Last year the 1st Division Marines, along with a U.S. Army Division and a British Division, crushed a much larger Iraqi force that had been set-up to defend the brutal regime of Saddam Hussein. The victory achieved by America and its allies, thanks to outstanding training, technology, bravery, and command, was the quickest and most decisive defeat of a modern military power in history.

The Marines of the First Division, who spearheaded this victory, were trained at

Camp Pendleton and many left their families behind in the care of Camp Pendleton and communities like Oceanside, Fallbrook, and Vista while they were serving in Iraq. As the commanding officer of Camp Pendleton, General Bowdon played a crucial role in preparing the Marines of the 1st Division for the great victory they helped achieve in Iraq and for successfully executing the largest troop rotation in the history of the U.S. military.

One of General Bowdon's finest qualities as a commanding officer, however, is that he cares about Marines and their families well beyond their training and their ability to perform under fire on the battlefield. General Bowdon and I have worked together on a number of issues on Camp Pendleton including getting better housing for Marine families, improving recreational facilities for enlisted Marines, strengthening relations between Camp Pendleton and the neighboring city of Oceanside, and seeking out improvements to the quality of water on base. As commander of Camp Pendleton, he was truly dedicated to both his duty as a U.S. Marine and to his fellow Marines with whom he served.

General Bowdon has received awards including the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal, and the Navy and Marine Corps Commendation Medal.

Major General Bowdon has had an exemplary career filled with distinction. It has been a great pleasure to know and work with General Bowdon and an honor to offer this testament to his dedication, service and hard work for America.

REGARDING THE SECURITY OF
ISRAEL AND THE PRINCIPLES OF
PEACE IN THE MIDDLE EAST

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. COSTELLO. Mr. Speaker, I rise today in strong support of H. Con. Res. 460. The citizens of the U.S. and Israel maintain a deeply rooted friendship based upon common interests, a shared commitment to democracy, individual freedoms, and a rejection of extremism and terrorism.

Since 1948, the State of Israel has committed itself to living in harmony and mutual respect with its neighbors and to arriving at a peaceful solution to the conflict with the Palestinians. For most of the last four years, however, Israelis and Palestinians have found themselves in a violent and crippling deterioration of relations. Thousands have died in horrible violence that has torn through the hearts of both the Israeli and Palestinian communities.

With President Sharon's disengagement plan, I hope we are at a renewed moment of hope. I believe that the future security of Israel depends upon bringing an end to terrorism, bloodshed, and human suffering and to establishing a just, permanent peace with the Palestinians. The principles endorsed by President Bush and Prime Minister Sharon are a step towards peace.

Mr. Speaker, I believe that Prime Minister Sharon's disengagement plan represents an important opportunity to break the deadlock in

Israeli-Palestinian relations. I am further encouraged that the Palestinian Authority and Egypt seem to agree, and are working to ensure security in post-disengagement Gaza. For these reasons, I support the resolution and urge my colleagues to do the same.

CONGRATULATING PROFESSOR
ROSALIE LEVINSON

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I congratulate one of Northwest Indiana's most caring and dedicated citizens, Professor Rosalie Levinson. Her career as a Professor at Valparaiso University has allowed her the opportunity to touch the lives of numerous students, both in and out of the classroom. In honor of her gracious service to Valparaiso University, on May 1, 2004 she was named the first Phyllis and Richard Duesenberg professor of law. Rosalie's appointment was announced during a gala at Chicago's Field Museum celebrating the 125th anniversary of Valparaiso University's School of Law.

Rosalie Levinson has accomplished many visionary goals throughout her career. She earned her bachelor's and master's degrees at Indiana University and her law degree from Valparaiso University. Rosalie has been a law professor at Valparaiso University since 1973. She has argued several civil rights cases before the 7th Circuit Court of Appeals and is a frequent lecturer on continuing legal education, including the Federal Judicial Center for Federal Judges and the Practice Law Institute programs. Rosalie has team taught with the United States Supreme Court Justices Antonin Scalia, Ruth Bader Ginsburg, and Clarence Thomas at the Valparaiso University's study center in Cambridge, England.

Numerous articles written by Rosalie have been published in national law journals. She has co-authored with Professor Bodensteiner a four volume treatise entitled "Civil Rights Liability" and also a textbook entitled "Civil Rights Legislation and Litigation." Rosalie served as chair of the Civil Rights Section of the Association of American Law Schools and as a board member on the Jewish Human Relations Council of Northwest Indiana.

Although Rosalie has served on numerous Law School and University Committees and has donated time to the students at Valparaiso University, she has never neglected to provide support and love to her family. Rosalie and her husband Don have two children and two grandchildren.

Mr. Speaker, Rosalie has given her time and efforts selflessly to the students at Valparaiso University throughout her years of service. I respectfully ask that you and my other distinguished colleagues join me in congratulating Professor Rosalie Levinson for her outstanding contributions. I am proud to commend her for her lifetime of service and dedication.

HONORING BILL MCSWEEN

HON. THADDEUS G. MCCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. MCCOTTER. Mr. Speaker, I rise today in honor of Bill McSween upon his retirement after 26 years of service to our community.

After graduating from Brown University on a hockey scholarship, Bill McSween served our country in the United States Army. In 1978, the same year he was inducted into the Michigan Amateur Athletic Hall of Fame for his exceptional hockey career, Bill came to the Redford Township Parks and Recreation Department as Assistant Director. In 1992, Bill was promoted to Director of Parks and Recreation.

Over the past 26 years, Bill has left an undeniable mark upon our community. Citizen participation in recreation programs throughout the township has flourished under his direction. Bill successfully negotiated two projects involving school lands being leased to the township for one dollar, which fostered the creation of new recreational programs for both the township and the schools involved; and successfully passed on his passion for sports and recreation to our entire community.

Let there be no doubt: Bill McSween is a paragon of public service.

His wife, Marge, and his children, Katie, Kelly and Bill, should be rightly and extremely proud of the undeniable mark he has left on the life of our community; while, we all will sorely miss and always benefit from his dedication and leadership.

Mr. Speaker, I extend my sincere appreciation to Mr. Bill McSween, upon his retirement as Director of Parks and Recreation for Redford Township, for his fine service to our community and our country.

CONCERNS ON THE STATE OF
IMMIGRATION

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. BERRY. Mr. Speaker, I rise to express my concerns with the alarming state of immigration in this country. As a member of the Homeland Security Appropriations Subcommittee, I have heard numerous officials testify to the porous state of both our northern and southern borders. For example, the U.S. Border Patrol has reported a jump in illegal migration rates of 25% to 535,000. In Tucson, Arizona alone, the Border Patrol averages daily arrests of 2,000. Border Patrol agents continue to be overworked and understaffed. The U.S. continues to add millions of illegal aliens to its population. We must start taking a hard look at how to handle the influx of people entering into the U.S. I believe that any discussion of our immigration policy should begin with the security of our borders. As we continue to combat terrorism and heightened terrorist threats, we must begin working towards solutions to help our agents and secure our borders.

As the tragic events of 9/11 demonstrated, our immigration system needs a major and

comprehensive review. Our borders are a security gap that must be addressed now. The challenges we face with our immigration policy are well known to Congress, the Department of Homeland Security, and the Administration. The time has come for us to act now on preserving our security and liberty.

A TRIBUTE IN HONOR OF 2004
LEGRAND SMITH OUTSTANDING
TEACH AWARD WINNER SCOTT
GERMAN OF COLDWATER, MICHIGAN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. SMITH of Michigan. Mr. Speaker, education is the key to our Nation's future prosperity and security. The formidable responsibility of molding and inspiring young minds to the avenues of hope, opportunity and achievement partially rests in the hands of our teachers. Today, I would like to recognize a teacher from Coldwater, Michigan who significantly influenced and motivated exceptional students in academics and leadership who were winners of the LeGrand Smith Scholarship.

Scott German teaches Biology at Bronson High School in Bronson, Michigan. He is credited with instilling in students an enthusiasm for not only these subjects, but also for life. As one of his students, Bobby Jo Ludwick said, "Mr. German has taught me the importance of good leadership and community service. The self-confidence that I've gained from his support will play a role in my life everyday. He has taught me that I can make a difference. I thank him for making a difference for me." The respect and gratitude of his students speaks well of Scott's ability to challenge young minds and encourage them to always put forth their best effort.

Scott German's extraordinary work as a teacher has challenged and inspired countless students to move beyond the teenage tendency of superficial study and encourage them to foster deeper thought and connections to the real world. Arguably, no profession is more important because of its daily influence upon the future leaders of our community and our country, and Scott's impact on his students is certainly worthy of recognition.

On behalf of the Congress of the United States of America, I am proud to extend our highest praise to Scott German. We thank him for his continuing dedication to teaching and his willingness and ability to challenge and inspire students to strive for success.

A TRIBUTE TO MR. LESTER R.
CURTISS AND MRS. MADLYN L.
CURTISS

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. HEFLEY. Mr. Speaker, with recent dedication of the WWII Memorial and the 60th anniversary of D-Day, all Americans were reminded of the courage and sacrifices made by members of the Greatest Generation. In particular, we've gained a greater appreciation

from our fellow citizens that served in the Armed Forces and their families alike. Today I choose to honor Lt Col (U.S. Army retired) Les and Mrs. Madlyn Curtiss, who began their military service to our Nation that extended 24 years and three wars. Colonel and Mrs. Curtiss are patriotic volunteers in the truest sense.

Colonel Les Curtiss enlisted in the Army as a Private and rose through the ranks to Master Sergeant. He served in the 13th and 82d Airborne Divisions, and later in the 187th Airborne Regimental Combat Team during the Korean Conflict. He received his commission as a Second Lieutenant in 1952, and was the Distinguished and Honor Graduate of his Officer Candidate Class. In 1958, he transferred from the Infantry to the Signal Corps.

As a Signal Corps Officer, Colonel Les Curtiss served as an Airborne Battle Group Signal Officer and Advisor to the 5th Military Region, Vietnam; Instructor at the Signal Officers Advance Course, Fort Monmouth, New Jersey; Deputy Commander, U.S. Army Element NATO, and Camp Commandant, Camp Voluceau, NATO, Paris, France; and attended the U.S. Army Command and General Staff College, Fort Leavenworth, Kansas.

Both Colonel Les Curtiss and his life's partner Madlyn believed that no word was ever spoken that has held out greater hope than Freedom; and nothing demands greater sacrifice, needs to be nurtured, and comes closer to bring God's will on earth. They both believed that Freedom is worth fighting for; and while her husband served in a variety of Army command and staff positions, Mrs. Madlyn Curtiss faithfully performed her duty as well.

The World War II Generation made their mark in American History as soldiers; and they were undoubtedly very successful as veterans as well. In every field, they quickly assumed positions of leadership, often transforming entire industries, research fields, and professions, or creating new ones. After his retirement from the U.S. Army, Colonel Les Curtiss and his wife Madlyn moved to Colorado Springs, Colorado, and pursued a life-long dream of teaching. He assumed a position on the faculty at Falcon School District #49. Mr. Les Curtiss taught Speech, Mathematics, World Geography, Government, and History. He also served as the Chairman of the Social Science Department and President of the Falcon Teachers Association.

These two great Americans were born in the immediate aftermath of WWI, they survived the Great Depression and answered their country's summons when totalitarianism and fascism threatened the world. As General George Marshall stated, "they have made history, a great history for the good of mankind," and today I honor them for their service and commitment.

CLE ELUM LAND EXCHANGE

HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. HASTINGS of Washington. Mr. Speaker, today I am introducing a bill to transfer lands along the Cle Elum River in Washington. This legislation will transfer about 400 acres of land along the Cle Elum River in Washington state from the Secretary of Agriculture to the

administrative jurisdiction of the Secretary of the Interior. The bill also provides for a subsequent land exchange involving a portion of these lands—about 40 acres—with a neighboring private landholder. This land is part of a larger tract that was acquired in the 1930s by the U.S. Reclamation Service to construct Cle Elum Dam and Reservoir. The land was in turn transferred to the Forest Service in 1966, after the Interior Department concluded it was no longer needed for Reclamation project purposes. The legislation I am introducing completes the cycle of returning a portion of the property back to Interior, and a smaller portion back to private ownership. This legislation enables a public-private partnership to develop much-needed infrastructure and simplifies property boundaries. This legislation enjoys the support of local elected officials and many local organizations, businesses. I ask that you please refer this legislation to the proper committee for consideration.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

SPEECH OF

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4568) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005, and for other purposes:

Mr. PORTMAN. Mr. Chairman, I would like to submit this letter which I sent to Secretary Norton. This letter concerns an amendment to H.R. 4568 regarding winter use of snowmobiles at Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 18, 2004

Hon. GAIL A. NORTON,
Secretary of the Interior, U.S. Department of the Interior, Washington, D.C.

DEAR SECRETARY NORTON: I am writing regarding winter use of snowmobiles at Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway.

As you know, this week the House of Representatives voted narrowly to defeat an amendment to the House Interior Appropriations bill, which provided for a total ban of snowmobile access to the parks. I voted against the amendment, but only with the understanding that the National Park Service intends to implement a plan that ensures the protection of the wildlife and natural beauty of these American treasures for current and future generations.

I believe the concerns of snowmobile emissions and noise at the parks are valid and must be addressed. I realize that the newer "four-stroke" snowmobiles reduce emissions and noise significantly. While I believe these advances in snowmobile technology merit reconsideration of winter use at the parks, I believe the Park Service must carefully consider the short and long-term alternatives. I seek your assurance that NPS will determine an appropriate winter use plan that balances the need to protect the parks' unique envi-

ronment with appropriate means of access, even if that includes the snowcoach only alternative.

I understand the Park Service is considering alternatives that include one that would allow only snowcoaches, and others that include restrictions on the number of snowmobiles that may enter the parks each day, technology requirements, guiding requirements, and where snowmobile travel is appropriate. I do believe our parks should be accessible. But if an alternative that includes snowmobile access is to be implemented, I think it is critical that such access not detract from the experiences of those who prefer to explore the parks in other ways.

I appreciate the Park Service's efforts to find a balanced solution that I hope will enhance the experiences for everyone who visits these magnificent parks. Thank you for considering my comments as NPS moves forward with its short and long-term winter use revisions.

Sincerely,

ROB PORTMAN,
Representative.

DEATH IN DARFUR

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. WOLF. Mr. Speaker, I would like to submit for the RECORD three new articles regarding the continuing crisis in Darfur, Sudan. I will continue to submit articles exposing the crimes occurring against the people of Darfur. I will not stop until the world takes notice and the unnecessary death of innocent civilians ends.

[From the New York Times, June 23, 2004]

MAGBOULA'S BRUSH WITH GENOCIDE

(By Nicholas D. Kristof)

Along the Sudan-Chad Border—Meet Magboula Muhammad Khattar and her baby, Nada. I wrote about Ms. Khattar in my last two columns, recounting how the Janjaweed Arab militia burned her village, murdered her parents and finally tracked her family down in the mountains. Ms. Khattar hid, but the Janjaweed caught her husband and his brothers, only 4, 6 and 8 years old, and killed them all.

Ms. Khattar decided that the only hope for saving her two daughters and her baby sister was to lead them by night to Chad. They had to avoid wells where the Janjaweed kept watch, but eight days later, half-dead with hunger and thirst, they staggered across the dry riverbed that marks the border with Chad.

That's where I found Ms. Khattar. She is part of a wave of 1.2 million people left homeless by the genocide in Darfur.

Among those I met was Haiga Ibrahim, a 16-year-old girl who said her father and three older brothers had been killed by the Janjaweed. So Haiga led her crippled mother and younger brothers and sisters to Chad. But the place they reached along the border, Bamina, was too remote to get help from overstayed aid agencies.

So when I found her, Haiga was leading her brothers and sisters 30 miles across the desert to the town of Bahai. "My mother can't walk any more," she said wearily. "First I'm taking my brother and sisters, and then I hope to go back and bring my mother."

There is no childhood here. I saw a 4-year-old orphan girl, Nijah Ahmed, carrying her

13-month-old brother, Nibraz, on her back. Their parents and 15-year-old brother are missing in Sudan and presumed dead.

As for Ms. Khattar, she is camping beneath a tree, sharing the shade with three other women also widowed by the Janjaweed. In some ways Ms. Khattar is lucky; her children all survived. Moreover, in some Sudanese tribes, widows must endure having their vaginas sewn shut to preserve their honor, but that is not true of her Zaghawa tribe.

Ms. Khattar's children have nightmares, their screams at night mixing with the yelps of jackals, and she worries that she will lose them to hunger or disease. But her plight pales beside that of Hatum Atraman Bashir, a 35-year-old woman who is pregnant with the baby of one of the 20 Janjaweed raiders who murdered her husband and then gang-raped her.

Ms. Bashir said that when the Janjaweed attacked her village, Kornei, she fled with her seven children. But when she and a few other mothers crept out to find food, the Janjaweed captured them and tied them on the ground, spread-eagled, then gang-raped them.

"They said, 'You are black women, and you are our slaves,' and they also said other bad things that I cannot repeat," she said, crying softly. "One of the women cried, and they killed her. Then they told me, 'If you cry, we will kill you, too.'" Other women from Kornei confirm her story and say that another woman who was gang-raped at that time had her ears partly cut off as an added humiliation.

One moment Ms. Bashir reviles the baby inside her. The next moment, she tearfully changes her mind. "I will not kill the baby," she said. "I will love it. This baby has no problem, except for his father."

Ms. Khattar, the orphans, Ms. Bashir and countless more like them have gone through hell in the last few months, as we have all turned our backs—and the rainy season is starting to make their lives even more miserable. In my next column, I'll suggest what we can do to save them. For readers eager to act now, some options are at www.nytimes.com/kristofresponds. Posting 479.

[From the BBC News]

FROM THE GRIM TIMES IN SUDAN

(By Tamsin Walters)

Food and water are scarce, women have been gang-raped, disease is rife. In the Darfur conflict, even an experienced aid worker can be taken aback by the hardships suffered—but will the rest of the world hear Sudan's pleas for help?

Driving along the deserted, pot-holed roads towards southern Darfur, the unfolding scenes of devastation are marked by burnt-out village after burnt-out village. Mud walls are torn down or smashed, and straw roofs no longer exist. Discarded sandals litter the area, illustrating the speed with which the people have fled.

This rapid flight has left hundreds of thousands of people with nothing. No clothes, no sleeping mats to lay over the bare earth, no cooking utensils. Any personal belongings are likely to be among the charred remains left behind in the villages. And attacks by the Janjaweed, the Arab militia blamed for perpetrating atrocities against African farmers, continue. Rather than a sense of security in the towns and camps to which the refugees have fled, the mood of fear is oppressive.

The only people seen on the road are Janjaweed groups laden down with the animals they have looted and the goods they have taken. They wave happily as we drive by.

Sex crimes. Security is the major problem facing the people of Darfur. I've spoken to

women who have been repeatedly raped, and heard of girls as young as 11 who've been abducted. The women are effectively trapped, unable to venture outside the towns and camps to search for firewood and grass—items essential to their survival, either to sell in exchange for food or for their own use. As an aid worker specializing in health and nutrition, with experience in emergencies around the world, I came to Sudan prepared for a grim situation. But Darfur is by far one of the worst humanitarian crises I've witnessed. The aid agency's pleas haven't fallen on deaf ears, as more than £300,000 has already been donated. But Martha Clarke, the head of media for Cafod, says the press in the UK is very focused on domestic matters and admits there's a "kind of fatigue" when it comes to reporting on the crisis. "It's a shame that there needs to be conflict to bring it to the media's attention," she says.

Cafod and other agencies are doing what we can to alleviate people's suffering, concentrating on providing shelter, food, water and sanitation to the hundreds of thousands of people made homeless. But time is running out in which to reach them—our aim is to beat the rains which come in early July, and cut off many parts of this devastated region.

Rainy season. These rains have to be seen to be believed. A thunderstorm broke while I was there. Tucked inside a local office, at least I had cement walls and a roof. Thousands of others crouched together under shelters hastily built from narrow poles covered in grain. The torrential rain soon flattened many.

When the rains arrive, those without shelter face the new threat of acute respiratory infections and malaria. Without food, they will not have the strength to fight disease that stems from unclean water and lack of sanitation. Because of the severe water shortages, people queue for up to 10 hours at the few pumps—and this leaves them vulnerable to further attack. There is barely enough water to drink, let alone wash. And with few latrines and cramped conditions in the towns and camps, the health risks are enormous.

Already many children have died from a measles epidemic, which is now under control. But the children are traumatized, and food shortages and disease have left the very young with severe malnutrition.

The towns of the south are among the last places to be reached by aid organizations. So the people themselves do much of the work. Local communities have taken the displaced into their own homes, or helped them build shelters, as well as offering cooking utensils.

With whole villages being emptied in one fell swoop following Janjaweed attacks, the displaced often include teachers and health workers, who are working hard for their communities. And our role is to help provide the tools they need to survive.

[From the New York Times, June 23, 2004]

NEWSVIEW: SUDAN MAY BE NEXT FOR GENOCIDE

(By The Associated Press)

WASHINGTON (AP).—Genocide has struck many victims over the past 65 years: European Jews during World War II, Cambodians in the late 1970s, Rwandans in 1994. There may be a new addition: The black African tribes of Darfur province in western Sudan have faced murder, displacement, pillage, razing of villages and other crimes committed by Arab militias known as Janjaweed.

The dictionary defines genocide as "the systematic killing of a racial or cultural group." The U.S. government is reviewing whether Darfur qualifies for the designation.

"The Janjaweed are the government's militia, and Khartoum has armed and empowered

it to conduct 'ethnic cleansing' in Darfur," says Human Rights Watch. The Brussels-based International Crisis Group says Darfur can "easily become as deadly" as the Rwanda genocide of 1994. Then, soldiers, militia-men and civilians of the Hutu majority killed more than 500,000 minority Tutsis and politically moderate Hutus in 100 days. All along, Sudan has denied allegations of complicity with the Arab militias and has blamed rebels for rights violations.

In February 2003, the Zaghawa, Fur and Masalit black tribes rebelled against what they regarded as unjust treatment by the Sudanese government in their historic struggle over land and resources with their Arab countrymen.

Countless thousands of tribesmen have died in a brutal counterinsurgency. The conflict has uprooted more than 1 million, and the Bush administration believes this many could die unless a peace settlement is reached and relief supply deliveries are greatly accelerated. Sudanese cooperation has been limited but is improving.

The Muslim-vs.-Muslim conflict is separate from the 21-year war between ethnic Arab Muslim militants in northern Sudan and the black African non-Muslim south. That three-decade-long struggle may be ending thanks to peace accords signed last month.

A U.S. interagency review is aimed at judging whether the Darfur tragedy qualifies as genocide under a 1946 international convention that outlaws the practice.

"I believe what is occurring in Sudan approaches the level of genocide," says Rep. Jim Kolbe, R-Ariz., a senior member of the House Appropriations Committee. He and several colleagues are pushing for \$95 million in emergency assistance for Darfur's victims.

Rabbi Marvin Hier, of the Simon Wiesenthal Center, a group opposed to intolerance in all forms, says Washington could increase the pressure on the Sudanese government by issuing a "stern warning" that, in the U.S. view, it is "close to if not bordering on genocide." This would greatly impact international public opinion, said Hier, founder and dean of the center.

Mark Schneider, a vice president of the International Crisis Group, says Hier may have a point. He also cautions that a genocide designation by the United States could thrust the U.N. Security Council into prolonged debate, deflecting attention from Darfur's massive humanitarian needs.

A role for the United Nations is made clear under Article 8 of the Genocide Convention: "Any contracting party may call upon the competent organs of the U.N. to take such action under the Charter of the U.N. as they consider appropriate for the prevention and suppression of acts of genocide."

U.N. Secretary-General Kofi Annan said he wasn't ready to describe the situation in Darfur "as genocide or ethnic cleansing yet," but he called it "a tragic humanitarian situation." For now, the U.S. administration seems to be tilting against the genocide label but is sticking with ethnic cleansing to describe the situation.

With so many in Darfur at risk of dying, "legal distinctions about genocide versus ethnic cleansing are going to seem rather hollow," says State Department deputy spokesman Adam Ereli. The focus, he says, should be on helping the needy. Humanitarian access remains a serious problem, the result of both government resistance and the remoteness of the Iraqi-sized province. The United States has been airlifting relief supplies to the region, a costly process.

Over the weekend, Sudan President Omar el-Bashir vowed to disarm the militias. Also, peace talks between government and rebel leaders opened in Berlin on Tuesday. U.S. officials are wary about the Sudanese gestures,

pointing out that Khartoum has routinely violated an April 8 cease-fire agreement.

RECOGNIZING SUE HOLMAN AND SUSAN WEEKS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize two extraordinary women who have jointly been named the City of Sonoma's 2004 Alcaldesas, or Honorary Mayors.

For more than 10 years, Sue Holman and Susan Weeks have volunteered countless hours to Sonoma Valley's Meals on Wheels program. They work five days a week preparing two gourmet meals for housebound residents. A typical weekly fare is pork chops in mushroom sauce, spicy lamb logs, linguini and clams, tamale pie and roast beef. Over the past 10 years, they calculate that they have prepared a quarter of a million meals.

In addition to all of the food preparation, they prepare the menus, shop for groceries, do all of the baking, maintain inventory control and supervise the 90 volunteers who package and deliver the food and assist in the kitchen.

They recognize that many of the people they serve live alone and try to make each day special. Each holiday has a theme meal. Each client receives a personalized present or two at Christmas or Hanukkah and on their birthday plus a split of wine or champagne.

They are able to maintain a high quality of fare and bolster the spirits of the people they serve while running the only all-volunteer Meals on Wheels program in the State of California.

In recognition of their contributions, the City of Sonoma designated them "las dos Alcaldesas," following a 28-year-old tradition of selecting someone in the community who works selflessly on behalf of others. The Alcaldes/Alcaldesa reflects the town's Spanish and Mexican heritage and the "Honorary Mayors" will preside at all ceremonial functions on behalf of the city.

Susan Weeks settled in Sonoma 18 years ago following an international career that took her to Jerusalem, South Africa and Washington DC. In addition to Meals on Wheels, she has also been active in public safety and infrastructure issues, and works with the Verano Springs Association and the Sonoma Valley Citizens Action Committee.

Sue Holman is a retired investment banker who has been in Sonoma 11 years. An animal lover, she was one of the driving forces in the establishment of Sonoma's only dog park.

Mr. Speaker, Susan Weeks and Sue Holman provide an invaluable service to their community, and it is appropriate that we honor them today as Sonoma, California's 2004 Dos Alcaldesas.

SUPPORT FOR A DEMOCRATIC UKRAINE

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. HINCHEY. I congratulate all Ukrainians in the United States and throughout the world

on the 40th anniversary of the unveiling of the Taras Shevchenko monument. Taras Shevchenko was the hero of the national liberation struggle and an inspiration to many generations. He freed himself from serfdom and opened his mind to the vision of an independent Ukraine, free from Russian imperialism.

A democratic Ukraine in the midst of other European monarchies was Shevchenko's goal. He inspired the Ukrainian nation to take pride in its heritage and continued struggle for sovereignty and independence. His poetry and political activities were almost exclusively devoted to this goal and his work has ignited the hearts of Ukrainians for almost two centuries. His words inspired the people of Ukraine to persevere, attain independence and rebuild a prosperous and democratic Ukraine.

Four decades ago, the Ukrainian American community gathered before his monument to celebrate its unveiling, but more importantly, to inform the world of the horrific crimes that were being committed against Ukrainians. For the first time, the world heard the truth about the genocide inflicted on the Ukrainian nation by the totalitarian Moscow regime in 1932–1933, which claimed the lives of 7–10 millions of innocent people. Ukrainian Americans stood united in their cause to expose the truth and help their brethren in Ukraine lift the yoke of Soviet oppression.

Today, I welcome the initiative to unite the Ukrainians American community in order to help Ukraine make a final step toward true democracy. In light of the upcoming presidential elections, which will determine the future course of development in Ukraine, the Ukrainian Americans once again join together to send a clear message to the Government of Ukraine: the world is watching the pre-election campaign in Ukraine and expecting the government to ensure free and fair elections. Ukraine needs this final impetus to break with its totalitarian past and ensure a path toward democracy and a realization of Shevchenko's dream.

IN RECOGNITION OF THE ARC OF CAPE COD'S 50TH ANNIVERSARY

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. DELAHUNT. Mr. Speaker, I rise today to recognize the 50th anniversary of the Arc of Cape Cod. The Arc of Cape Cod was established in 1954, by a small group of dedicated parents with special needs children as a voluntary, non-profit organization to help improve the lives of Cape Cod residents with developmental disabilities and their families. The Arc of Cape Cod was an outgrowth of a wave of parent-sponsored organizations across the United States, banding together at the state and national levels to advance the quality of life of their children with special needs.

From its founding, the Arc has played an important role in advocating for changes to improve and enrich the lives of individuals with developmental disabilities. For the past 50 years, the Arc of Cape Cod has been an invaluable resource to individuals with disabilities and their families through its mission of empowering Cape Cod residents to identify,

choose and realize their goals of where and how they learn, live, work and play.

The Arc has an active adult social program that involves approximately 200 individuals every month in a wide range of activities of their choosing. The Arc also provides case management, skills training and other services that assist more than sixty individuals to live independently as active members of their communities across Cape Cod. In addition, the Arc of Cape Cod is a constant source of helpful information, referrals to services, and support for Cape Cod families.

In appreciation of their 50 years of devoted service, Mr. Speaker, I ask my colleagues in Congress to join me in honoring the Arc of Cape Cod.

RECOGNITION OF THE 40TH ANNI- VERSARY OF THE CIVIL RIGHTS ACT OF 1964

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Ms. CARSON of Indiana. Mr. Speaker, on the 40th anniversary of the Civil Rights Act of 1964, let those who lived through that time recall and celebrate its powerful role in changing our lives and the life of our Nation by sharing that knowledge with those who came after. As we do so, let us remember that a major impact of that law was to give strength to ordinary people so that they might do extraordinary things to change the way the nation worked, responding with smoother voices and firmer advocacy for the civil rights of everyone, bringing about a broad expansion of equal opportunity across the life of the nation.

IN RECOGNITION OF DR. C.O. GRINSTEAD

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to recognize Dr. C.O. Grinstead, who will celebrate his 35th year as pastor to the congregation of Trinity Baptist Church, in Oxford, Alabama, on June 27, 2004.

During these 35 years, Dr. Grinstead has participated in evangelistic meetings and revivals in 43 countries around the world and served as music evangelist for the Tom Williams Evangelistic Ministries. He was moderator of the Southwide Baptist Fellowship, and he is now on the board of the Alabama Christian Education Association. Dr. Grinstead was instrumental in beginning Trinity Christian Academy, a Christian school of over 300 students, and two Christian radio stations reaching 24 counties.

Dr. Grinstead was born in Gary, Indiana, and in 1962, graduated from Tennessee Temple University in Chattanooga, Tennessee. He received his doctorate from Florida Bible College in 1989, and then served as Associate Pastor of Victory Baptist Church in Jacksonville, Florida for over seven years before moving to Alabama.

Mr. Speaker, I am proud to join the congregation of Trinity Baptist Church as they

honor Dr. Grinstead for his commitment to their church and its congregation.

RECOGNIZING LT. COL. ELIZABETH J. MAGNERS

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. GERLACH. Mr. Speaker, I rise today to recognize Lt. Col. Elizabeth J. Magners for her 60 years of exemplary service with the Civil Air Patrol.

Elizabeth Magners, born in Altoona, Pennsylvania, graduated from the Civil Air Patrol National Staff College at Maxwell Air Force Base, Alabama, in 1969. She furthered and completed her training at the Air University Extension Course Institute program for Civil Air Patrol officers at Gunter Air Force Base, Alabama. On June 20, 1944, Elizabeth Magners joined the Civil Air Patrol (CAP) and thereby commencing what is now 60 years of service. She served in the volunteer civilian auxiliary of the U.S. Air Force in various capacities, including commander of the General Carl A. Spaatz Squadron of Boyertown, Pennsylvania. She was a Public Affairs Officer of the Pennsylvania Wing and served on projects and assignments at Northeast Region and National Headquarters levels where she attained the rank of Lieutenant Colonel.

Elizabeth Magners has received numerous awards and honors during her six decades of service, including the CAP's Distinguished Service Award, the Exceptional Service Award, the Meritorious Service Award and numerous Commanders Commendation certificates. In addition to her service awards, she was also honored by the Freedoms Foundation at Valley Forge, Pennsylvania for her 24-year radio show entitled "Wings Over Boyertown" and her unit publication, "The Question Mark."

Elizabeth is a past president of the Lehigh Valley Chapter 274 Air Force Association, a life member of the U.S. Naval Institute, member of the Reading Chapter of the U.S. Navy League and a member of the 148th Fighter Squadron of the Pennsylvania Air National Guard Auxiliary.

Mr. Speaker, I ask my colleagues to join me today in recognizing Lt. Col. Elizabeth J. Magners for her 60 years of outstanding and dedicated service to her community, the Commonwealth of Pennsylvania and the nation.

CONGRATULATING DICK AND JOANN LOSEE ON THEIR 50TH ANNIVERSARY

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. DOOLITTLE. Mr. Speaker, today I wish to congratulate two wonderful people and long-time family friends from the Honorable Chris Cannon's district in Utah, Dick and JoAnn Losee, as they celebrate their 50th anniversary on the Fourth of July.

Dick was born on Christmas Day in 1932 in Los Angeles, California. At the age of ten Dick

and his family returned to their original hometown of Salt Lake City, Utah. It was there where young Dick developed a passion for music that became a prominent part of his life, actively participating in school bands and parades, and, after graduating from Jordan High School, accepting a job at Daynes Music Company in Provo, Utah.

In Provo, Dick became involved with a band that performed in dance halls and private parties, leading him to the love of his life, JoAnn. Searching for the best dance band around for her junior prom at Provo High School, JoAnn was introduced to Dick. The momentous meeting marked the beginning of beautiful things to come.

Like many young men of his generation, Dick was drafted into the U.S. Army to fight in the Korean war. Before heading overseas, Dick obtained an overnight pass and married his sweetheart shortly after midnight on the Fourth of July, 1954, at Fort Ord, California.

Instead of being sent to Korea, Dick was stationed in Germany, where JoAnn joined him in March, 1955. In Germany, Dick was assigned to the 2nd Armored Tank division and assigned to be in charge of the Army Dance Band in Western Germany.

In February, 1956, the happy couple returned to Provo, where Dick studied music and business at Brigham Young University, while JoAnn joined her mother in opening Bullock's Jewel Box that same year. On July 17, 1956, they were blessed with their first born, Richard. Six years later, on September 20, 1962, their beloved daughter Vanessa was born. Their children and grandchildren are a source of great pride and love for the couple.

After a short time selling life insurance, Dick joined JoAnn and his mother-in-law in the jewelry business, starting Bullock and Losee Jewelers. After 30 successful years, the original business was sold in 1985. However, Alard and Losee jewelers was later established in Provo, Alard being Vanessa's married name.

Dick and JoAnn have incorporated service into every aspect of their lives. Their dedication to their community is truly outstanding, actively participating in the Provo/Orem Chamber of Commerce, Friends of the Freedom Festival, Scouting, the Miss Utah Pageant, Kiwanis Club, and The Church of Jesus Christ of Latter-day Saints.

Additionally, the Losees are deeply committed to Utah Valley State College (UVSC), where JoAnn received the first UVSC President's Medallion, in honor of her highly commendable activity in community and civic affairs.

Mr. Speaker, Dick and JoAnn's dedication to each other, their family and community is admirable and inspiring. On the eve of their 50th Anniversary, I wish them nothing but the best in the years to come.

RENEWING THE DREAM TAX CREDIT ACT

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. CARDIN. Mr. Speaker, as we mark June as National Homeownership Month, it is imperative that we look for ways to help more of our citizens to achieve the American Dream of homeownership.

Home ownership is the cornerstone of the American Dream. For millions of American families, this dream is still just out of reach. This is especially true for families living in economically distressed neighborhoods, where the costs of renovating existing buildings or that of new construction frequently exceed the market value of homes in the community, making it impossible to obtain mortgage financing. This leads to further deterioration in declining neighborhoods, and forces families to look elsewhere for the opportunity to own their own home.

My friend ROB PORTMAN and I introduced H.R. 839, the Renewing the Dream Tax Credit Act, which would provide a tax credit for single-family home ownership. Modeled after the successful low-income rental housing tax credit, this proposal would allow states to allocate federal tax credits to developers and investors who provide single-family homes for purchase by qualified buyers in qualified areas. The program will also help stabilize troubled urban neighborhoods, while spurring new construction and rehabilitation in rural areas targeted for economic development.

The bill would allow states to provide developers or investors tax credits up to 50% of the combined costs of acquiring, building, and renovating properties for sale to qualified buyers. The tax credits would be carefully targeted to areas in need of economic growth incentives, and to families who need help buying a home. States will have flexibility in allocating the tax credits. The available tax credits under the program are capped at \$1.75 per capita, with no state to receive less than \$2 million in credits.

This proposal has the support of a broad coalition of groups with substantial expertise in the housing industry, including the National Association of Home Builders, the National Conference of State Housing Agencies, the National Association of Realtors, Fannie Mae and Freddie Mac, and a number of non-profit organizations, including the Enterprise Foundation, the Local Initiative Support Corporation and Habitat for Humanity International.

H.R. 839 could open the door to affordable homeownership for as many as 50,000 families annually. It would not only provide affordable housing, but is expected to create up to 120,000 jobs annually. H.R. 839 enjoys broad bipartisan support, with 288 co-sponsors in the U.S. House of Representatives. House passage of H.R. 839 would be a fitting tribute to National Homeownership Month, bringing the American Dream home to tens of thousands of working American families.

TRIBUTE TO CHRIS VICTOR SEMOS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with profound sadness that I pay tribute to the life and the memory of Chris Victor Semos. He was a devoted husband, a loving father, a lawmaker, a humanitarian, and a leader in the community of God and the community of mankind. He was unflagging.

It was my privilege to serve with Chris Victor Semos in the Texas State capitol in Austin.

Elected to the Texas House of Representatives in 1967, he served the people of his district and his state with honor, integrity and distinction for 16 years. A lawmaker's lawmaker, he served as the Chairman of the Claims Committee, the Business and Industry Committee, the Dallas Legislative Delegation. He was untiring.

His sense of timing was always perfect. Chris Victor Semos was born in 1936. This was also the year of the Texas Centennial. This was not by chance or happenstance, for he believed he was destined to celebrate Texas and all things Texas. It was the delight of Chris Victor Semos' heart to have the honor of serving as the Chairman of the Texas Sesquicentennial Commission. Because of the energy and the energy he devoted to the promotion and the celebration of Texas' 150th anniversary, his peers bestowed upon him the aptly descriptive sobriquet "The Father of the Texas Sesquicentennial." He was indefatigable.

Chris Victor Semos also made a lasting impact on Dallas. For 12 years the people of Dallas County as the County Commissioner. He was elected to the office in 1983. During his tenure, he poured every ounce of his considerable energy into building roads and bridges around the county. He was unfaltering.

Because of his commitment to his community, Chris Victor Semos was the recipient of countless awards. His honors, his awards and his decorations are too vast to name. Emblematic of the esteem in which he was held by his peers and his community, the Oak Cliff Lion's Club honored Chris Victor Semos with the Humanitarian Award. It was not an honor that he took lightly. As a 50-year member of the Oak Cliff Lion's Club, he promoted the welfare of others and championed reforms that improved the lives of his fellow man and fellow woman. He was unrelenting.

Chris Victor Semos was filled with joy when he was united in holy matrimony with Anastasia, his bride of 37 years. His heart was filled with joy with the birth of each of his three daughters, Mary Katherine, Victoria Evelyn, and Kristina Anastasia. They were his greatest mark of distinction. His love and devotion for his wife and his daughters were unceasing.

Mr. Speaker, after a lifetime of devoting his life to serving others, Chris Victor Semos has gone to his eternal rest. Therefore, I ask my colleagues to join me in paying tribute to former Texas State Representative Chris Semos. Moreover, I join with the city of Dallas and the State of Texas in mourning the loss of an outstanding citizen and friend.

THANK YOU, MARGARET SIMS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. MILLER of Florida. Mr. Speaker, I rise today to honor Margaret Sims. Over 1,252 of our soldiers have a new friend in Ms. Sims, who a year ago began writing to a soldier she did not know from her hometown of Gulf Breeze, FL. At 19 years of age and a rising sophomore at the University of West Florida, Margaret epitomizes patriotism in the United States. Margaret not only corresponds with many of the troops in Iraq on a regular basis

in something she calls "Project Appreciation," but also stands outside the local grocery store during the weekends gathering signatures for "Thank You" banners. She has been known to gather 400 signatures per banner, sending them to troops in places like Tikrit and Kirkuk, as well as making care-packages filled with cans of tuna, crackers, and toiletries for a lucky few that have become her regular recipients. She has been honored in the Pensacola News Journal and throughout the First District of Florida, but it is time that she is recognized for her efforts by Congress.

Patriotism is not only shown by our soldiers in the field but by our people at home. Her love for our country and her support of the troops is the true essence of patriotism. She shows our men and women in the field how valued and supported they are, giving them hope and faith from back home. By sending letters and care packages, and by taking the time to gather signatures on a banner from people throughout her community, Ms. Sims is making a true difference in America, a model patriot for all of us to admire.

Mr. Speaker, on behalf of the United States Congress I would like to thank Margaret Sims for her patriotism and support of our troops. What we need in this country are more young men and women like her.

70TH ANNIVERSARY OF THE PASSAGE OF THE FEDERAL CREDIT UNION ACT

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. BACHUS. Mr. Speaker, today I rise to honor the 70th anniversary of the passage of the Federal Credit Union Act on June 26, 1934. Since the passage of this momentous legislation, federal credit unions have consistently proven themselves to offer high quality financial services at low costs to over 85 million Americans.

As members of this body, many of us are well aware through first-hand knowledge of the importance of federal credit unions. Owned by their members, federal credit unions are financial institutions that embrace the true spirit of volunteerism. Federal credit unions are run by volunteer boards of directors that are elected by their members, and encourage the value of saving regularly to build economic security for the future.

The entire premise of the credit union movement is the commitment to values that we can all embrace. Folks with modest means who oftentimes are overlooked by other types of financial institutions are assured of access to financial services thanks to America's credit unions. Driven by a deeply held commitment to member service rather than financial profits, credit unions offer not only low-cost financial services but also much-needed financial education to some of the most neglected sectors of our society.

For these reasons, Mr. Speaker, I rise today to recognize and applaud the passage of the Federal Credit Union Act seventy years ago. In conjunction with all the fine work of the National Association of Federal Credit Unions (NAFCU), the trade association that exclusively represents the interests of federal credit

unions, there is no doubt in my mind of the benefits Americans across the nation will continue to gain because of the good work of our nation's federal credit unions for many more years to come.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2005

SPEECH OF

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4548) to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes,

Mr. SHAYS. Mr. Chairman, from its inception in 1996, the United Nations' Oil-for-Food Program (OFF) was susceptible to political manipulation and financial corruption. Trusting Saddam Hussein to exercise sovereign control over billions of dollars of oil sales and commodity purchases invited the illicit premiums and kickback schemes now coming to light.

But much is still not known about the exact details of Oil-for-Food transactions. That is one reason my Subcommittee on National Security, Emerging Threats, and International Relations convened a hearing on April 21st to help pierce the veil of secrecy that still shrouds the largest humanitarian aid effort in history.

This much we know: The Hussein regime reaped an estimated \$10.1 billion from this program: \$5.7 billion in smuggled oil; and \$4.4 billion in oil surcharges and kickbacks on humanitarian purchases through the Oil-for-Food Program. There is no innocent explanation for this.

At the hearing, the Subcommittee heard the program, while successful in many ways, was riddled with corruption and the independent efforts of the Iraqis to investigate the fraud was being stifled by the Coalition Provisional Authority.

We want the State Department, the CPA, the intelligence community, and the U.N. to know there has to be a full accounting of all Oil-for-Food transactions, even if that unaccustomed degree of transparency embarrasses some members of the Security Council.

Two months ago, U.N. Secretary General Kofi Annan assured me he wants to get to the bottom of this scandal and restore faith in the ability of the U.N. to do its job. Subsequently, the Secretary General appointed Paul Volcker to lead an independent panel to look into the Oil-for-Food Program.

While Mr. Volcker brings expertise and prestige to the task, we are concerned about the slow pace of the U.N. investigation. The Volcker panel has just announced the hiring of senior staff. Nevertheless, they continue to say an interim report, possibly this summer, will address the conduct of UN employees and allegations about the Secretary General's son's involvement.

But we also need to know more than what just happened at the U.N. We also need to know what happened at the US Mission. We

need to know what our intelligence community knew and knows.

Many of the allegations are true, we just don't know which ones yet. We should be long past asking whether something went wrong in OFF. It's time to find out exactly what went wrong and who is responsible.

Our staff has been through the minutes of the U.N. "661 (six-six-one) Committee" of Security Council members responsible for sanctions monitoring and oversight of OFF. Those minutes tell a story of diplomatic obfuscation and an obvious, purposeful unwillingness to acknowledge the program was being corrupted. Questions about oil or commodity contracts were dismissed as dubious media rumors beneath the dignity of the U.N. to answer, while Saddam was given the undeserved benefit of every doubt.

We cannot ignore the profoundly serious allegations of malfeasance in the Oil-for-Food Program. To do so would be to deny the Iraqi people the accounting they deserve and leave the U.N. under an ominous cloud. This is the Iraqi's money we're talking about, so the Iraqi Governing Council and its successor should get cooperation from the CPA and the State Department in conducting its inquiries.

In Iraq, and elsewhere, the world needs an impeccably clean, transparent U.N. The dominant instrument of multilateral diplomacy should embody our highest principles and aspirations, not systematically sink to the lowest common denominator of politics profiteering.

This emerging scandal is a huge black mark against the United Nations and only a prompt and thorough accounting, including punishment for any found culpable, will restore U.N. credibility and integrity.

That is why it is critical to get to the bottom of the corruption. In order to do that we need to the intelligence community to better assist the Congress in its investigations.

Mr. Chairman, this Sense of Congress will help address the difficulties many committees have had obtaining information and documents—especially from the intelligence community—pertaining to the Iraq Oil-for-Food Program. This amendment should reinforce the importance Congress places on the Oil-for-Food investigations.

CENTRAL NEW JERSEY RECOGNIZES AND CELEBRATES THE CONTRIBUTION OF REVEREND WILLIE MAE NANTON, PASTOR OF THE CADWALADER-ASBURY UNITED METHODIST CHURCH

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. HOLT. Mr. Speaker, I rise today on the eve of her retirement to recognize Reverend Willie Mae Nanton for her role as a pastor and community activist.

As Pastor of Cadwalader-Asbury United Methodist Church for the past 7 years, she has inspired and touched the lives of many. She is the first female pastor of the church in its 100-year history as well as the first female President of the Concerned Pastors and Ministers of Trenton and Vicinity. She has been an instrumental part of these organizations not only as a leader but also as a friend.

Rev. Nanton also has been involved with other organizations in her community, serving as a Board member of the Economic Development Corporation, a Board member of Black United Methodist for Church Renewal, a past president of the Northwest District Board of Ordained Ministry, a Board member of Ecclesia Ecumenical Ministry, a past Board member of Big Brothers & Sisters, and a Board member of Leadership Trenton. Through these organizations, she has positively contributed to the Trenton community's development and the spiritual growth of its members.

Over the years, Rev. Nanton has improved the quality of life of individuals in her community by being involved in Leadership Training Workshops, Alcohol and Drug Abuse Counseling, Community Organization Development Planning and Management, Group Counseling, Interfaith Care Givers, and Meals on Wheels of Trenton. New Jersey is fortunate to have such a dedicated servant, and she deserves the utmost praise and recognition.

She has earned our heartfelt appreciation for a noble career of public and private service, and I urge all of my colleagues to join me today in recognizing her achievements.

PERSONAL EXPLANATION

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. McINNIS. Mr. Speaker, had I not been detained in Colorado earlier this week attending the funeral of a close family friend, I would have voted accordingly on those votes on which I was forced to be absent: rollcall No. 276 (H. Res. 591), "yea"; rollcall No. 277 (H. R. 4363), "yea"; rollcall No. 278 (H. Res. 660), "yea"; rollcall No. 279 (H. Res. 683), "yea"; rollcall No. 280 (H. Res. 683), "yea"; rollcall No. 281 (H. Con. Res. 449), "yea"; rollcall No. 282 (H. Con. Res. 13), "yea"; rollcall No. 283 (Amendment to H.R. 4613), "no"; rollcall No. 284 (H.R. 4613), "yea"; rollcall No. 285 (H. Res. 658), "yea"; rollcall No. 286 (H. Res. 686), "yea."

TRIBUTE TO ARCHBISHOP WILBERT S. MCKINLEY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. TOWNS. Mr. Speaker, I rise in honor of Archbishop Wilbert S. McKinley in recognition of his spiritual leadership in the community.

Archbishop Wilbert S. McKinley is the senior pastor of The Elim International Fellowship.

The doors of the church were opened for ministry on July 26, 1964. As the founding pastor, Archbishop McKinley has served the church faithfully for 40 years.

Archbishop McKinley has an overwhelming passion to introduce people, especially men, to the Church and the teachings of Jesus Christ. Archbishop McKinley believes that these teachings hold the key to every door. He is especially called to reach black men with the message of hope through Jesus

Christ and with the necessity of embracing one's spiritual, national and racial identity.

Archbishop McKinley has been a gift to the Church. In addition to his pastoral duties, he is a leader who is committed to sharing his time and talent with others.

Mr. Speaker, Archbishop Wilbert S. McKinley has been a spiritual leader in his community for more than 40 years. As such, he is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable person.

IN LASTING MEMORY OF BILLY BOB SMITH

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. ROSS. Mr. Speaker, today I rise to pay tribute to the life of Billy Bob Smith from Prescott, Arkansas, who died Sunday, June 13, 2004, at the age of 83. As a husband, father, grandfather, brother, uncle, nephew and friend, his life was full of achievements and honors that impacted his entire community.

Mr. Smith was born December 10, 1920, in Nevada County. The World War II veteran was the recipient of 5 battle stars and an Oakleaf, participating in the Battle of the Bulge as well as the Normandy Invasion. His courage and patriotism led him to serve in the 413th Antiaircraft Artillery battalion, C Battery in Central Europe, the Ardennes, the Rhineland, Normandy and Northern France. For his dedication and loyalty to our nation, we will forever be grateful.

Mr. Smith was a selfless public servant and a leader, spending much of his adult life serving his fellow citizens in Nevada County. He was a member of the Prescott Church of Christ and served as a Justice of the Peace for 14 years.

I am deeply saddened by the death of Mr. Smith. His loyalty and dedication to Nevada County, his family and his country will forever be remembered. My thoughts and prayers are with his wife, Elya, his son, Michael, and his three daughters, Bobbie, Donna, and Jan.

HONORING DISABLED AMERICAN VETERANS GENESEE CHAPTER NO. 3

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. KILDEE. Mr. Speaker, I rise before you today to honor the members of the Disabled American Veterans Genesee Chapter No. 3 as they celebrate their 75th anniversary on July 11, 2004 with local veterans and their families.

The Disabled American Veterans Genesee Chapter No. 3, of which my father, Timothy L. Kildee, was a member, was founded on March 18, 1929. The members of this non-profit organization have worked diligently on the behalf of America's wounded war heroes to ensure that they are not forgotten by our government and society. Through their efforts and generous donations from the community, they are able to assist disabled veterans by providing services such as transportation to and

from veterans medical facilities, representation for veterans in processing claims with the Department of Veterans Affairs, grant financial assistance to veterans and their families, provide memorial services for any veteran, as well as color guards for all types of occasions. The DAV is an organization that is committed to helping disabled veterans help themselves by providing the tools necessary to restructure their lives and accommodate their service-connected illness or injury so that they can live as close to a productive life as possible.

We must never forget the sacrifice our Nation's men and women make when they enlist in the military. Each day of their enlistment, whether it is in a war zone or on the home front, they are making significant contributions toward preserving the freedoms of the United States. We are indebted to these brave individuals. I am very proud of the Disabled American Veterans Genesee Chapter No. 3 for they have always worked hard to fulfill requests for support. I consider them to be a valuable asset to the community.

Mr. Speaker, as the Member of Congress representing Genesee County, I ask my colleagues in the 108th Congress to please join me in paying tribute to an outstanding veterans organization, Disabled American Veterans Genesee Chapter No. 3, for 75 years of unwavering devotion to taking care of the disabled veterans of Genesee County.

PAYING TRIBUTE TO LEVI BRINKLEY

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the life and legacy of Levi Brinkley of Burns, Oregon. Levi bravely battled the Storm King Mountain Fire outside the town of Glenwood Springs, Colorado in 1994, but succumbed to the blaze along with thirteen fellow firefighters while working to protect the City. I personally served as a firefighter and understand the risks they face each and everyday. Witnessing the awful inferno that fateful July day, I know Levi and his comrades battled the fire with the utmost courage and valor. With the tenth anniversary of the Storm King Fire approaching, I believe it appropriate to recognize the sacrifice Levi and the Storm King Firefighters made on behalf of a grateful community, state and nation.

A very outgoing and friendly person, Levi was a top honor student at Burns High School where he was an all-state football player and student body president. He attended Bend Community College where he received an associate degree in psychology, and was working toward a bachelor's degree in psychology. He became a firefighter at age eighteen, first with the Snow Mountain Ranger District, and then joining the Prineville Hotshots, an elite group of firefighters who specialize in wildland fire suppression. A true outdoorsman, Levi enjoyed bungee-jumping, skydiving, rock climbing, hunting, fishing, and skiing. Above all, he was devoted to his family and friends.

Mr. Speaker, it is an honor to rise before this body of Congress and this nation to pay tribute to the life and memory of Firefighter Levi Brinkley. Levi personified the Hotshots

credo of Safety, Teamwork, and Professionalism; putting himself in harms way for unfamiliar people and places. He made the ultimate sacrifice doing what he loved, and I, along with the Glenwood Springs community and the State of Colorado are eternally grateful to this brave young man.

HONORING THE LIBERTY COLUMN MONUMENT

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. DEUTSCH. Mr. Speaker, I rise today to discuss the public outcry over the defaced Liberty Column Monument in Miami's Bayfront Park.

The Liberty Column Monument is dedicated to the thousands of Cuban rafters who have lost their lives at sea while fleeing Fidel Castro's Cuba. Embodying their sacrifice, having risked everything for a chance at freedom, the monument is a pair of hands, bound in stone, reaching towards the open sky. The column is an important symbol to our community as many have lost family and friends to the cold waters off of the American shore.

Humberto Sanchez, a Cuban exile himself, paid \$30,000 to create the monument in 1994. He has been collecting pieces of rafts off of Florida shores for years and has dedicated himself to memorializing the exodus of the Cuban rafter. Mr. Sanchez exemplifies the spirit and courage of the people he has celebrated in the Liberty Column.

Much to my great dismay, and to that of the Miami community, the Liberty Column Monument was recently vandalized in a despicable and most disrespectful fashion. I am pleased to inform the House that there is an ongoing movement to raise funds for its repair. There have also been talks of upgrading the monument to pure bronze to prevent future destruction.

Mr. Speaker, I am hopeful that the police will track down the criminals who damaged this symbol, and I am certain that the renovated Liberty Column Monument will continue to honor the lost souls who did not survive the voyage to free, American soil.

H. CON. RES. 405—EXPRESSING THE SENSE OF CONGRESS WITH RE- SPECT TO THE NEED TO PRO- VIDE PROSTATE CANCER PA- TIENTS WITH MEANINGFUL AC- CESS TO INFORMATION ON TREATMENT OPTIONS, AND FOR OTHER PURPOSES

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in support of H. Con. Res. 405 and the continued need to provide prostate cancer patients with meaningful access to information on treatment options.

Prostate cancer is the second most common cancer among American men. The American Cancer Society estimates that during

2004 about 230,110 new cases of prostate cancer will be diagnosed in the United States. One man in six will be diagnosed with prostate cancer during his lifetime, but only 1 man in 32 will die of this disease. The key to decreasing the amount of men that die from this disease yearly is not only informing patients about all the available treatment options but identifying the disease early on.

Because early detection is essential in the treatment and survival rates of Prostate Cancer patients, often Americans with limited health care are more susceptible to detection at more advanced stages, and increased mortality rates. In fact because of their low levels of medical healthcare African Americans are two to three times more likely to die of prostate cancer than white men. Only 66 percent of African Americans diagnosed with prostate cancer survive for 5 years, compared with 81 percent of white men.

As Members of Congress we must do everything in our power to ensure that medical service providers are informing patients on all possible treatments of this devastating disease. Education will inevitably lead to the best treatment options for all patients. Furthermore this Congress must take action to ensure that all Americans have regular access to health care so that diseases like prostate cancer can be detected in their earliest stages. We cannot continue to fail the millions of Americans without health care coverage because this makes our citizens increasingly susceptible to many devastating diseases like prostate cancer.

Mr. Speaker, prostate cancer continues to plague thousands of men in our country every year. I support this legislation that will encourage medical service providers to increase awareness on treatment options for prostate cancer patients and I urge this body to continue the discussion that would eventually yield much needed health care service to every American.

HONORING JASON HICKS ON THE COMPLETION OF HIS INTERNSHIP

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. GORDON. Mr. Speaker, I rise today to thank Jason Hicks for his help while interning in my office. Jason is a resident of Cookeville, TN, which I represent in Tennessee's Sixth Congressional District.

Jason just finished his freshman year at the University of Tennessee, Knoxville, where he is majoring in English and political science. He is a member of the Phi Alpha Delta fraternity and vice president of the university's Tennessee Debate Society.

Jason has been a great help and a wonderful addition to my office. He has helped address constituent concerns, assisted me and my staff with numerous projects, and served as a friendly and informative tour guide of the U.S. Capitol, providing visitors from Middle Tennessee with a personalized look at a national treasure.

I trust that Jason has enjoyed his whirlwind internship and his first-hand examination of the workings of Congress. I know that I have enjoyed having his fresh perspective and enthusiasm during his time here.

My hat is off to Jason Hicks. I wish him all the best in his future endeavors.

PAYING TRIBUTE TO KATHI BECK

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the life and legacy of Kathi Beck of Eugene, Oregon. Kathi bravely battled the Storm King Mountain Fire outside the town of Glenwood Springs, Colorado in 1994, but succumbed to the blaze along with thirteen fellow firefighters while working to protect the town. I personally served as a firefighter and understand the risks they face each and everyday. Witnessing the awful inferno that fateful July day, I know Kathi and her comrades battled the fire with the utmost courage and valor. With the tenth anniversary of the Storm King Fire approaching, I believe it appropriate to recognize the sacrifice Kathi and the Storm King Firefighters made on behalf of a grateful community, state and nation.

An active outdoorswoman, Kathi was an ardent rock and mountain climber. She was a senior at the University of Oregon where she was majoring in psychology and had taken wilderness survival classes through the university's outdoor program. With her unique background in psychology and the wilderness, Kathi planned to design an outdoor recreational therapy program for children. She became a member of the Prineville Hotshots, an elite group of firefighters who specialize in wildland fire suppression, due to her love of nature and adventurous spirit. She also served as a member of the Oregon Army National Guard's 419th Signal Detachment, and had previously served with the Guard's 741st Service and Supply Battalion at Camp Withycombe, Oregon.

Mr. Speaker, it is an honor to rise before this body of Congress and this nation to pay tribute to the life and memory of Firefighter Kathi Beck. Kathi personified the Hotshots credo of Safety, Teamwork and Professionalism; putting herself in harms way for unfamiliar people and places. She made the ultimate sacrifice doing what she loved, and I, along with the Glenwood Springs community and the State of Colorado are eternally grateful to this brave young woman.

A TRIBUTE TO GLENORE M. ANDERSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. TOWNS. Mr. Speaker, I rise in honor of Glenore M. Anderson in recognition of her civic participation and business success.

Glenore is a living testimony to the power of hard work and effort. A banker by profession, it took Ms. Anderson 11 years to move up the corporate ladder to her current position as vice president/branch manager of the Broadway and Driggs Street Office of HSBC Bank, one of the largest branches of HSBC Bank USA in Brooklyn, NY.

Born on the island of Trinidad and Tobago in the West Indies, Glenore immigrated to the United States in the summer of 1992. She moved here with her family after successfully completing her studies in her home country. A few short months after taking up residence in New York City, she was hired as a customer service representative with Marine Midland bank, which later became HSBC Bank USA. She quickly moved through the ranks and excelled as a sales representative, sales manager, OIC (officer in charge), and vice president/branch manager.

Glenore continues to exemplify this spirit of excellence in her current position as the branch manager. She continuously works toward motivating her staff of 16 by employing a "hands on" approach. In so doing, she demonstrates her abilities as a team player and team leader. She believes that it is important for her staff to see that she can do whatever task is required of them. Due to this type of cohesive effort and leadership skills, the operation of the branch has been very successful, which boasts assets totaling \$105 million.

In addition to her expertise in banking, Glenore has also earned accolades for her efforts to strengthen the community. As such, she was honored with the Caribbean American Chamber of Commerce and Industry award for Women History makers of 2000; the Network Journal award for 40 Under Forty Achievers of 2001; and an award from the New Deeper Life Tabernacle in 2003.

During the month of February in 2001, 2002 and 2003, she brought this sense of community to the branch by hosting a celebration of Black History Month. The celebrations took the form of an art exhibit mounted in conjunction with Art Groupie.Com, which featured the works of four African/Caribbean American artists.

Married and the mother of one, Glenore receives strong support from her family and friends who believe whole-heartedly in her potential to reach the stars.

Mr. Speaker, Glenore M. Anderson has excelled in the business world while still finding time to contribute to her community. As such, she is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable person.

HONORING NEVADA COUNTY ELEMENTARY SCHOOL PRINCIPAL HOWARD AUSTIN

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. ROSS. Mr. Speaker, today I rise to honor Prescott Elementary School Principal, Mr. Howard Austin, for his persistent dedication to education and service in his community. The core of Mr. Austin's community relations are deeply rooted in his 40 years as a public educator.

Mr. Austin received his B.A. from Wiley College in Texas and an M.S. from Henderson State University in Arkansas. Through his career, Mr. Austin enriched the many generations of people that he encountered in his community. He is a true role model for not only his students, but for everyone in the com-

munity. Mr. Austin was an active leader in the Elementary Principal's Association and served as a zone director for 8 years. In 2002, Mr. Austin was named Arkansas's Distinguished Principal of the Year.

Mr. Austin's constant involvement in his community led him to support and organize many student-orientated groups throughout the years. Mr. Austin worked with the track team, organized and was head scoutmaster of the Boy Scouts of America Troop, and was choir director for Prescott High School and his local church. He also formed a dance band with other directors that played at various school functions. Mr. Austin's devotion to Nevada County led him to be elected to the Prescott City Council.

I am honored to recognize Mr. Austin, and extend my sincere appreciation and thanks for his dedication and guidance to the people of Nevada County and to my hometown of Prescott. He is an inspiration to us all, and I am privileged to serve as his Congressman in the United States House of Representatives.

HONORING TERRY WATSON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. KILDEE. Mr. Speaker, I rise before you today to recognize an outstanding veteran from Bay City Michigan, Mr. Terry Watson who is retiring from his post as president of the Bay City Fireworks Festival Committee after 32 years of commendable service and dedication. The committee along with the community will honor Mr. Watson during the festival opening ceremony on July 1, 2004, in Bay City.

U.S. Army Vietnam veteran Terry Watson is a life long resident of Bay City, Michigan. Terry has dedicated his life to making the Bay area a better place to live, work and visit. He is a retired Bay City Police Officer with 27 years of notable service.

In 1962 the Fraternal Order of Police founded the Bay City fireworks. In 1981 the event evolved into a 3-day festival, complete with carnival. The fireworks display has been a significant part of the Bay area 4th of July holiday celebration for the past 42 years. The celebration draws a crowd of approximately 350,000 people. The firework show has been rated over the past years as one of the Nation's top five displays. Because of Terry's strong teamwork and leadership skills the Bay City Festival has become a popular family vacation destination spot for not only residents of Michigan but for others residing in states throughout the Midwest.

Aside from being an outstanding leader, Terry is also a devoted family man and he credits the love and support of his devoted wife Peggy, their three children, Jerry, Sheri and Richard, for his success.

Mr. Speaker, as a Member of Congress, I ask my colleagues in the 108th Congress to please join me in paying tribute to an outstanding veteran, Mr. Terry Watson, for his service to our Nation and his contributions to Bay City, Michigan. I wish him the best in future endeavors.

PAYING TRIBUTE TO SCOTT
BLECHA

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the life and legacy of Scott Blecha of Clatskanie, Oregon. Scott bravely battled the Storm King Mountain Fire outside the town of Glenwood Springs, Colorado in 1994, but succumbed to the blaze along with thirteen fellow firefighters while working to protect the City. I personally served as a firefighter and understand the risks they face each and everyday. Witnessing the awful inferno that fateful July day, I know Scott and his comrades battled the fire with the utmost courage and valor. With the tenth anniversary of the Storm King Fire approaching, I believe it appropriate to recognize the sacrifice Scott and the Storm King Firefighters made on behalf of a grateful community, state and nation.

Born and raised in Clatskanie, Scott graduated with honors from Clatskanie High School where a scholarship is named in his honor. After graduating, he answered his nation's call to duty and joined the United States Marines. After a four-year tour, Scott attended the Oregon Institute of Technology, graduating cum laude with a degree in Mechanical Engineering Technology. During the summers, he worked as a Prineville Hotshot, an elite group of firefighters who specialize in wildland fire suppression. Scott loved the job, enjoying the close camaraderie of his crew and the satisfaction of knowing he was helping others. Above all, he was devoted to his family and friends.

Mr. Speaker, it is an honor to rise before this body of Congress and this nation to pay tribute to the life and memory of Firefighter Scott Blecha. Scott personified the Hotshots credo of Safety, Teamwork and Professionalism; putting himself in harms way for unfamiliar people and places. He made the ultimate sacrifice doing what he loved, and I, along with the Glenwood Springs community and the State of Colorado are eternally grateful to this brave young man.

HONORING JOSEPH FEIGENBAUM

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. DEUTSCH. Mr. Speaker, today I rise to honor Joseph Feigenbaum of Fort Lauderdale, Florida. It is my pleasure to announce that at 84½ years of age, Mr. Feigenbaum has completed the requirements to receive a Doctorate in International Business from Nova Southeastern University.

Mr. Speaker, "old" is a relative term in Florida. Mr. Feigenbaum accomplished quite a lot in his life: he earned a law degree, built a successful textile career, and ran a factory in Venezuela. However, Mr. Feigenbaum knew retirement would not extinguish his desire to continue to cultivate his life. Through the support of his loving wife, Cherie, and by the strength of his desire, Feigenbaum returned to

the classroom. Eight years later, dedication, discipline, and desire carried him to his goal. Mr. Feigenbaum serves as an inspiration and example for us all.

Education is a lifelong opportunity, befitting anyone who chooses to pursue it. At 84½ years of age, Mr. Feigenbaum qualifies this point. I genuinely believe that his experiences can only benefit his community, and I am proud that he is a Floridian. Mr. Speaker, today I honor Mr. Feigenbaum's accomplishments and honor the value he places on education.

TRIBUTE TO DEACONESS LEVARN
DAVIS ON THE OCCASION OF
HER 80TH BIRTHDAY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to a delightful lady whose life represents the epitome of what a well-lived life should be. For all of these years, she has been a child of our Lord and Savior Jesus Christ, a good Christian, a wife, a mother, a true neighbor, an anchor, a pillar of the community and a good and honorable citizen.

Mrs. Davis and her husband were pioneers when they moved into what had been an essentially all white community. They were a hard working young couple who produced a family of offspring who have done exceptionally well and contributed significantly to the well-being of our community and our city.

Her children rise up and call her blessed, for she has indeed been a blessing to them and to all of those whose lives she has touched. Happy Birthday, Mrs. Davis and may you have many, many more.

HONORING DEOTHA MALONE ON
HER RETIREMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. GORDON. Mr. Speaker, I rise today to congratulate Dr. J. Deotha Malone on her retirement after 55 years of service to the Sumner County Board of Education. Dr. Malone is a resident of Gallatin, Tennessee, which I have the pleasure of representing in Tennessee's Sixth Congressional District.

Dr. Malone began her teaching career in 1949, the year I was born. She retires this year as the longest working educator in the Middle Tennessee region.

Dr. Malone is a remarkable humanitarian. She has made certain that lack of money does not stand in the way of her students. She has held free remedial reading classes, and she even taught French to students at her own home for no charge. And Dr. Malone hasn't stopped yet. She still tutors adult non-readers in her spare time.

Dr. Malone has served her community not only by teaching, but also by leading. In 1969, she became the first African American to serve on Gallatin's City Council. And she currently serves as the city's vice-mayor.

Congratulations to Dr. Malone on her retirement. I know I join with the citizens of Gallatin in wishing her all the best in the future.

PAYING TRIBUTE TO ROBERT
BROWNING JR.

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to the life and legacy of Robert Browning Jr. Rob bravely battled the Storm King Mountain Fire outside the town of Glenwood Springs, Colorado in 1994, but succumbed to the blaze along with thirteen fellow firefighters while working to protect the City. I personally served as a firefighter and understand the risks they face each and every day. Witnessing the awful inferno that fateful July day, I know Rob and his comrades battled the fire with the utmost courage and valor. With the tenth anniversary of the Storm King Fire approaching, I believe it appropriate to recognize the sacrifice Rob and the Storm King Firefighters made on behalf of a grateful community, state and nation.

Born and raised in North Carolina, Rob attended McDowell High School and received a degree in forest management from Haywood Technical College. In 1988, he began working for the U.S. Forest Service in Asheville, North Carolina, and in 1992 he became a member of the Region 8 Hotshot Crew, an elite group of firefighters who specialize in wildland fire suppression. In 1993 he transferred to the Savannah River Forest Station where he was an engine operator and firefighter. At the time of the Storm King Mountain Fire, Rob was serving a four-month detail on a Grand Junction helitack crew, a specialized group of firefighters who are often the first to respond to a wildland fire. He was a dedicated member of the Forest Service, and received a great deal of satisfaction from helping others.

Mr. Speaker, it is an honor to rise before this body of Congress and this nation to pay tribute to the life and memory of Firefighter Robert Browning Jr. Rob personified the Hotshots credo of Safety, Teamwork, and Professionalism; putting himself in harm's way for unfamiliar people and places. He made the ultimate sacrifice doing what he loved, and I, along with the Glenwood Springs community and the State of Colorado are eternally grateful to this brave young man.

A TRIBUTE TO ST. BLASÉ "KC"
CHARLES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. TOWNS. Mr. Speaker, I rise in honor of St. Blasé "KC" Charles in recognition of his significant cultural and economic development contributions to the community.

St. Blasé Charles, better known as KC, hails from the twin island nation of Trinidad and Tobago in the Caribbean. He has been an entertainer for more than 30 years. Famous for his Caribbean-style rendition of the "father of

soul," Mr. James Brown, KC is also affectionately known as the "Local James Brown" throughout the entertainment circles in North America and members of his international fan club. Along with his own musical group, the International Band, KC has performed at major events and famous places including the West Indian Labor Day Parade in Brooklyn, the Harlem Day Parade, Manhattan's Annual Halloween Parade, the MGM and Sahara casino in Las Vegas, and the Royal Caribbean and Carnival cruises, just to name a few.

KC's summer concerts were launched in 1989 at his garage at East 87th Street in East Flatbush, Brooklyn where he held a huge block party on Memorial Day. In order to accommodate the growing crowd that came to yearly event, in 1991, KC moved his Caribbean style street festival to Ditmas Avenue near his East 87th Street garage. The event covered ten blocks. The event continued at Ditmas Avenue until 1996, when KC took his show and a loyal following of thousands to its new home on Atlantic Avenue.

Spanning 10,000 square feet and a maximum occupancy of 4,300, the Hideaway is a spacious outdoor venue located at 2494 Atlantic, in an industrial section of Brooklyn. Since 1998, the Hideaway, which is owned and managed by KC, has been hosting its hallmark Summer Concert Series featuring today's leading soca, calypso, and reggae musical acts from around the Caribbean and here in the United States. Along with top performers, the Hideaway showcases some of the most popular Caribbean-American DJs. It is also equipped with a fully licensed bar, a professional sized stage, and an elevated VIP lounge where performing artist and special guests can view and enjoy the shows.

KC's Hideaway has become a major attraction for thousands of Caribbean music lovers from around the world who are drawn to Brooklyn, the Caribbean Capital of the United States, year after year to celebrate the West Indian Labor Day Carnival season, which begins in May. The venue stages around 66 shows a year and the number of concertgoers has steadily increased over the past three years. The concert grew from an audience of about 80,000 for the season in 1998, to approximately 165,000 for this season.

Mr. Speaker, St. Blasé "KC" Charles has developed and created a major cultural event in his community, which has brought thousands of people to Brooklyn each year to celebrate their Caribbean heritage. As such, he is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable person.

CONGRESSIONAL TRIBUTE TO FATHER STEPHEN PATRICK WISNESKE

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. STUPAK. Mr. Speaker, I rise today to honor an individual who has been a spiritual guide for the Catholic community in Menominee, Michigan, Father Stephen Patrick Wisneske. On July 1st, "Father Pat" will be retiring from Holy Spirit Parish, where he has been pastor for the last 32 years. Throughout

that time, his leadership, his generous spirit, and his warm sense of humor have all been important sources of inspiration and comfort. He will be sorely missed.

Father Pat Wisneske was ordained on June 3rd, 1950, embarking on a 54-year journey in the clergy that touched countless lives in Michigan's Upper Peninsula. In 1950 and 1951, he served as an Assistant Pastor at Holy Trinity Parish in Ironwood, and St. Thomas Parish in Escanaba, respectively. In 1953, he began a six year tenure as Assistant Pastor at St. Mary and St. Joseph Parish in Iron Mountain, Michigan. During this time, he also served as the Chaplain for the VA hospital in Iron Mountain. From 1959 to 1963, he was the Administrator of Our Lady of Mount Carmel in Franklin Mine.

In 1963, Father Pat became the pastor of St. Stephen Parish in Loretto and served there for three years before transferring to St. Jude Parish in White Pine, where he also oversaw the St. Ann mission in Bergland. After the Bergland mission was transferred to a parish in Marenisco in 1967, Father Pat became the temporary administrator of Holy Family Parish in Ontonagon until 1972.

The spring of 1972 was a very tense time for Menominee Catholics as they awaited the final outcome of a two year study that would eventually consolidate their parishes. When the members of the new Holy Spirit Parish learned that Father Pat would be their new pastor, they wondered what kind of pastor he would be. It did not take long to realize that he was a kind and gentle man who was indeed a "present" to them. Through the sadness of illness or death, and the joy of baptisms, marriages, first communions and confirmations, Father Pat was always there to offer guidance, leadership, spirit, faith, and friendship.

Mr. Speaker, in addition to his parish assignments, Father Pat was always willing to take on additional duties and leadership roles. Over the years he has served as the director of the deacon program for the diocese, twice as Dean, President of the St. Joseph's Association, and a member of the Priest's Council. He has also given of his time to serve as a chaplain for different organizations including the VA hospital in Iron Mountain, the Knights of Columbus, the Daughters of Isabella, and the Civil Air Patrol.

Another example of Father Pat's leadership has been his unwavering commitment to the youth of the community. He has been steadfast in his support for Menominee Catholic Central Schools, and he has always enjoyed working with young people, recognizing that they are indeed the future.

Those of us who know and love Father Pat have our own special stories of this remarkable individual. On a personal note, when tragedy struck my family, it was Father Pat who consoled us, reassured us, and provided comfort for us in our time of greatest need. Father Pat's kindness, spiritual guidance, and love will never be forgotten and we will always be indebted to him.

Mr. Speaker, 32 years after he came to Menominee and Holy Spirit Parish, it is time to bid a very fond and difficult farewell to Father Pat. He often said that he was energized by his parishioners, but they in turn would say they were energized by Father Pat. He was always present for us, giving us, the members of our Holy Spirit family, our Menominee Community, and our God the best present he

could—himself. Mr. Speaker, I ask the House to join me in honoring and thanking Father Patrick Wisneske for his dedicated service to his parish and the Catholic faith community throughout the Upper Peninsula of Michigan.

PAYING TRIBUTE TO LA RENAISSANCE

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. MCINNIS. Mr. Speaker, today I rise to pay tribute to the owners and the staff of La Renaissance, a family owned restaurant in Pueblo, Colorado. For twenty-six years, La Renaissance has been an icon in the Pueblo community. It is my pleasure to recognize their dedication to Pueblo and the State of Colorado before this body of Congress and this nation today.

In 1978, La Renaissance opened as a full service restaurant in Pueblo. Brothers Bob and Jim Fredregill started the restaurant as a small family business, and has grown to a staff of thirty-five. A well-known dining destination in Pueblo, La Renaissance has recently received honors for the brothers' business practices. The Colorado Food Service Hall of Fame recently inducted both Bob and Jim Fredregill, and the Greater Pueblo Chamber of Commerce recognized La Renaissance as their Small Business of the Year.

Mr. Speaker, I would like to recognize La Renaissance for continued excellence in business and for their commitment to the Pueblo community. Establishing the restaurant as part of the community's foundation captures the essence of small business. I congratulate La Renaissance on many years of success and wish them many more in the years to come.

A TRIBUTE TO ANTHONY JOSEPH

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. TOWNS. Mr. Speaker, I rise in honor of Anthony Joseph in recognition of his entrepreneurial success in the marketing and communications field.

As a product of New York City public school system, Anthony parlayed his academic achievement and his experience as an All-City championship football player into a walk-on position on the Boston University squad. Anthony promoted campus parties and events to subsidize his tuition. After graduation, he quickly turned a temp job in The New York Times' finance department into a staff position in the paper's marketing department.

With just one experience as an employee with the New York Times, Anthony combined his knowledge of urban landscape with his marketing expertise to incorporate the fastest rising marketing/communication company in the urban field. Anthony laid the foundation for his urban success by moonlighting with Vital Marketing Group VMG while still at the Times. Through contacts at a major apparel and an advertising agency, Anthony was able to participate in business meetings where he was

able to present strategies, which, over time, turned into contracts with Tommy Hilfiger, Hush Puppies, and Wolverine Boots.

Eventually, Anthony's growing client base necessitated his departure from the Times. He partnered with the African-American media company that established the billboard beachhead on Harlem's 125th Street, utilized by so many entertainment companies at the time. Together they formed VMG, with Anthony leading the charge. After merely four years of business, its roster counts big-timers such as the U.S. Army, Nike, Tommy Hilfiger, Coca Cola, Remy Martin, Foot Action, Posner Cosmetics and Universal Records to name a few. It has an income of over \$7 million in annual revenue.

Vital Marketing's unusual methodology and its consistent success can be credited in great part to its founder and president, Anthony Joseph. The Queens-bred son of a Jamaican mother and Puerto Rican father, Anthony, understood the significance of culture early on as it related to marketing.

In May 2001, VMG was presented with the Black Enterprise Rising Star Award, in honor of the high revenues garnered by VMG's high profile clients. A year later, VMG offered further proof that they were on the ascent when they turned a cold call and a year of conversation into a multimillion dollar contract with the U.S. Army via advertising giant Leo Burnett.

Mr. Speaker, Anthony Joseph has created a successful company through his own hard work and ingenuity. As such, he is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable person.

**REMEMBERING DR. J.W. REMKE,
JR., GENEROUS AND DEDICATED
COMMUNITY LEADER**

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. COOPER. Mr. Speaker, I rise today to honor the life of Dr. J.W. Remke, Jr. of Lawrenceburg, Tennessee. Dr. Remke was a dedicated community leader, a distinguished optometrist and businessman admired throughout Tennessee for his willingness to help others. Dr. Remke was always happy to use his time and his energies to build a better life for his community and its families.

Joe Remke knew early in life what he wanted to do and where he wanted to live. After graduating from the University of Tennessee and the Southern College of Optometry in Memphis, he returned to his hometown of Lawrenceburg and soon opened his own business, the Remke Eye Clinic. For the next 50 years, Dr. Remke could be found helping his friends and neighbors see better—in Lawrenceburg, Waynesboro, Hohenwald or Lewisburg, even a few politicians in Nashville and Washington, D.C. For Dr. Remke, work was a joy, more a hobby than anything else, and something he looked forward to. Even at the age of 79, Dr. Remke saw patients every day, right up until the time of his brief illness.

Dr. Remke's commitment to his patients was truly outstanding—just like his commitment to his community. He was a founder of

the 21st Century Council, the first economic and community development organization in Lawrence County. Thanks to his leadership, major employers including the Jones Apparel Group soon established operations in the area. I don't know of any community leader in Tennessee who has done more to attract industry to his community. Whenever there was a local need, Joe Remke gave generously. He had served as President of the Lawrence County Chamber of Commerce, as Chairman of the Lawrenceburg Power Board and as president of the Lawrenceburg Lions Club. Dr. Remke, along with his late wife, Peggy Jo Remke, were equally dedicated to supporting the activities of their church, Lawrenceburg's Sacred Heart Catholic Church.

Even with all of his work with community organizations and local businesses, Dr. Remke was perhaps celebrated most for his generous spirit and wise counsel. I benefited tremendously from such advice when he was kind enough to help me in my earliest campaigns. Whether it was a new business idea that needed help or just a relaxed visit with an old friend, folks from Lawrence County to Nashville, Memphis, and Knoxville always knew they'd find the support and guidance they were looking for in a chat with Dr. Remke.

On behalf of his many friends in the Fifth District of Tennessee, I send my deepest condolences to Dr. Joe Remke's wonderful family.

**PAYING TRIBUTE TO RALPH
WILLIAMS**

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. McINNIS. Mr. Speaker, I rise today to pay tribute to the hard work and success of Ralph Williams of Pueblo, Colorado. Strong small businesses build strong communities, and Ralph has provided much leadership in continuing SCA Insurance's strong business tradition in the Pueblo community.

As the chief of SCA Insurance, Ralph is considered by his colleagues as an expert in the industry. Ralph's personable style and business acumen helped to build a loyal clientele and to work closely with local agencies and other statewide organizations. The Greater Pueblo Chamber of Commerce recently honored Ralph for his work as a business leader with their Charles W. Crews Business Leader of the Year award.

Mr. Speaker, it is my honor to acknowledge Ralph Williams before this body of Congress and this nation for his dedication and commitment to success. His work as a business leader in the Pueblo community is certainly commendable. I congratulate him on his achievements, and I wish him the best in his future endeavors.

A TRIBUTE TO KATIE DAVIS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. TOWNS. Mr. Speaker, I rise in honor of Katie Davis in recognition of her dedication to

her community through both her professional and volunteer activities.

Katie Davis is someone who is energetic and inspirational and continues to serve as a respected dynamic leader in the community. However, after serving thirty-three and a half years in public service, she is retiring from her position as the Deputy Director for Support Services at Kingsboro Psychiatric Center, Brooklyn, NY, effective April 29, 2004.

Katie graduated from Hunter College Magna Cum Laude, earning a B.S. in Community Health. Later, she received a Master's degree in Public Health Administration at Columbia University. She began her public service as a Registered Nurse at Kings County Hospital Center, and later was employed as Associate Director for Clinical Service for 9 years at Harlem Hospital Center.

Katie is the wife of Hervin L. Davis and mother of Charlene and Jacqueline Davis, who continues to serve as an inspiration in spite of her untimely death. As a young woman who overcame her mental disability, Jacqueline served others until her untimely passing in her early 20s.

Katie is a long-time member of the Antioch Baptist Church in Brooklyn where the Reverend Robert M. Waterman is pastor. She is known in the community and among the Antioch Baptist Church family as a spirited and committed Christian. She has faithfully supported many church activities over the years and currently serves as Co-Chair of the Antioch Capital Campaign. Katie genuinely cares about those in her community and is always working with others to serve those in need.

Throughout her career, Katie has continued to be actively involved in activities and programs to improve the educational and social conditions of her community. She is energetic and strategic in her approach, getting others involved in addressing key issues that affect the young and the elderly. Long noted for her active leadership throughout the community, she continues to promote and encourage young people and adults to seek an education, as demonstrated by her current position as President of Medgar Evers College Community Council. The Council awards several scholarships annually to eligible students attending Medgar Evers College who exhibit outstanding academic performance and potential leadership qualities.

Katie's dedication and clever leadership skills are consistently recognized at Kingsboro Psychiatric Center. She volunteers her time as a facilitator of the Advisory Committee for the Emerson-Davis Family Center. This special center houses single-parent families, separated by homelessness, parental mental disability or substance abuse, who are reunited by the Emerson-Davis Family Center in Brooklyn, New York. While "Emerson" refers to the Center's street address, "Davis" honors Jacqueline Davis, Katie's deceased daughter.

Mr. Speaker, Katie Davis has dedicated herself to helping people and families in need through her distinguished professional career and her community-based work. As such, she is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable person.

IN MEMORY OF CHARLES B.
"SONNY" TOWNER, JR.

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. FARR. Mr. Speaker, I rise today to honor the life of Mr. Charles B. "Sonny" Towner, Jr., who passed away on June 2, 2004. A dedicated member of the Santa Cruz community, Charles is survived by his wife Ellen, and will be greatly missed.

Charles led a life of public service, first serving in the 6th Aircraft Repair Unit Floating during World War II. Following the war, Charles returned to California to sell sporting goods, becoming a prominent businessman in the Bay Area for over 30 years. Continuing his public service, Charles also became the business manager for the Cambrian School District in San Jose for ten years. During this time, Charles was an active member of the Camden High School Booster Club and volunteered for the Cambrian Park Little League and Pony League.

Following his retirement in 1990, Charles continued his commitment to his community, as he volunteered with the Trinity Presbyterian Church, Santa Cruz Gardens School Volunteer Program and the California Grey Bears.

Mr. Speaker, I would like to express my deepest sympathy to Charles' family and honor him by celebrating his life and contribution to society. As a prominent member of the Santa Cruz community, Charles Towner, Jr. will be missed.

PAYING TRIBUTE TO LESLIE BAILEY

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Leslie Bailey and thank her for the remarkable civic contributions she has made to her Fort Collins community, the State of Colorado and this nation. Leslie started her career volunteering her services to the Federal Emergency Management Agency following the flood disaster that struck Fort Collins in the summer of 1997, and has remained in public service ever since. I am pleased to be able to pay tribute to Leslie, and thank her for her tireless work.

After helping her community's flood victims in 1997, Leslie was asked to join FEMA as a Disaster Assistance Employee. Since that time, she has served in Community Relations, Public Affairs, and Congressional Affairs, with a focused area of expertise on Congressional and Intergovernmental liaison functions. From 1998 to 2004 Leslie served as one of FEMA's primary Congressional and Intergovernmental Affairs Liaisons. She has held the position of Congressional Liaison, on over 40 federally declared disaster operations including response efforts to the September 11th attacks and preparing for the 2002 Winter Olympics. Leslie currently serves as the Lead Congressional Liaison on one of three national Emergency Response Teams for FEMA, and frequently works as part of the Office of Legisla-

tive Affairs Disaster Team. Her hard work has made her a national asset to the agency and to this nation.

Mr. Speaker it is clear that Leslie Bailey is a woman of great commitment to humanitarian efforts in the State of Colorado and our country. Her hard work and willingness to give of her time to help federal disaster victims is worthy of recognition before this body of Congress today. I wish to extend my sincerest thanks to Leslie for her continuing work on behalf of a grateful nation.

HONORING THE LIFE OF PRESIDENT RONALD REAGAN

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. SIMPSON. Mr. Speaker, every visitor who comes to my office is greeted by a plaque that bears the inscription of Ronald Reagan's signature and this quote, "There's no limit to what a man can do or where he can go if he doesn't mind who gets the credit." These words are characteristic of the great man that served as the fortieth President of the United States of America. I am involved with politics today because of the inspiration I received from Ronald Reagan. I believe he was the true example of what a statesman can be, and I hold that example close to my heart as I carry out my own duties.

President Reagan will always be remembered as an unabashed patriot. He was convinced of the ability of the United States to provide the hope of freedom to those enslaved by totalitarianism and communism. President Reagan's vision of the world and the future of this country would not be dimmed or daunted by ideological threat, and he was not afraid to stand up to tyranny and aggression. From the beginning of his presidency, President Reagan realized the potential cost of inaction and weakness in the face of Soviet defiance and nuclear threat, and he took action. Through a series of defense budgets, he increased defense spending 35 percent during his two terms, ensuring the country the resources necessary for security. Additionally, President Reagan managed to negotiate the first U.S.-Soviet treaty to reduce the number of nuclear weapons through a series of four summits with Mikhail Gorbachev. President Reagan was always clear about what he expected and never more so than when he pleaded at the Brandenburg Gates, "Mr. Gorbachev, tear down this wall!"

President Reagan planted democracy in regions of the world that have never tasted the joys of freedom. He taught newly liberated people across the globe that hard work and faith in God could result in prosperity, a sense of satisfaction in one's own legacy, and a better outlook for tomorrow. He wanted the American dream to be a reality throughout the world.

President Reagan will also be remembered as a man of humble beginnings. He proclaimed America as a place where "everyone can rise as high and as far as his ability will take him." Born in Tampico, Illinois, President Reagan used his abilities to establish a career in Hollywood. He continued to work and learn as he rose through California politics and went

on to serve two successful terms as the leader of our nation. He wanted all Americans to have the same freedom and opportunity to pursue success, and he consistently promoted that ideal through policies of limited government. He said, "Government can and must provide opportunity, not smother it; foster productivity, not stifle it."

What makes Ronald Reagan most unforgettable was his unflinching optimism. Even as our nation mourns, we cannot help but smile at the thought of his cheerful and radiant personality. President Reagan possessed a sense of humor strong enough to withstand even the pain of an assassin's bullet. Demonstrating his trademark good nature, he said to the doctors about to operate on his bullet wounds, "I hope you're all Republicans." It was this characteristic sanguinity that swept up a down-trodden America and reenergized its faith in freedom, the Presidency, and our military.

Ronald Reagan was many things. He was a man of reason, a man of sincerity, a man willing to listen. And he is a man whose character, grace, and wisdom will be deeply missed by this nation.

TO HONOR KATY DOYLE

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. LAMPSON. Mr. Speaker, I want to take this opportunity to recognize the exceptional athletic achievements of an outstanding individual, personal friend, and fellow Texan.

Katy Doyle, a member of the Texas A&M track and field team, led her team with an incredible athletic performance in the 2004 Big 12 Outdoor track and field conference championships. In the javelin competition, Doyle's throw of 54.75m put her team in first place in the event, and shattered a conference record that had stood for five years.

Doyle's gold medal performance at the conference championship added to her two previous wins in the same event in 2000 and 2003 conference meets.

Mr. Speaker, being a personal friend of both Katy and her family, I can say her on-field performance is a testament to her character off the field. Coming off a seemingly debilitating injury that kept her out of competition in 2001 and 2002, she persevered and ultimately regained her championship form.

I am honored to give credit to this talented athlete, deserving individual, and great Texan.

THE 30TH ANNIVERSARY OF THE U.P.C. BAR CODE

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. BOEHNER. Mr. Speaker, I rise today to join with my constituents and friends in Troy, Ohio to celebrate the 30th anniversary of the U.P.C. bar code. When a pack of Wrigley's chewing gum was scanned by a cashier at the Marsh Supermarket in Troy on June 26, 1974, few understood the impact this simple action would have. Thirty years later, we now know.

It's amazing that the 59 black and white bars and 12 numbers of a U.P.C. bar code could have saved consumers, retailers, and manufacturers more than a trillion dollars over these three decades, but it's true. The U.P.C. bar code has revolutionized global commerce, and I am so proud to say it all started back in the state of Ohio.

Mr. Speaker, the Uniform Code Council and Marsh Supermarkets will join together tomorrow to celebrate this 30th Anniversary. Troy's Mayor Michael Beamish will offer a proclamation making June 25, 2004 "U.P.C. Bar Code Day," and since I will be unable to join them, let me use this moment to send my very best to everyone involved in the celebration. From the invention of flight to the use of the very first U.P.C. bar code, Ohio continues to prove itself a true center of innovation.

REGARDING THE SECURITY OF ISRAEL AND THE PRINCIPLES OF PEACE IN THE MIDDLE EAST

SPEECH OF

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. JACKSON of Illinois. Mr. Speaker, I rise today as a passionate proponent of achieving a just, lasting and comprehensive peace in the Middle East. I will vote for this resolution, but I have deep reservations about specific aspects of it.

Today, as yesterday, I am in strong support of the Road Map for peace devised by the United States, European Union, United Nations and Russia. As the world's only Superpower, it is the responsibility of the U.S. to work assiduously as an honest and balanced broker in this complex process to bring about a just and fair resolution.

The U.S. can only be effective in our role as mediator if we are able to maintain the trust and confidence of both the Israelis and the Palestinians. To embrace one side to the exclusion of the other is to undermine the credibility of the U.S. in the world, further deepen the divide within the region, compromise the security of Israel, and further endanger U.S. citizens and interests throughout the Middle East.

In his April 14, 2004, letter to Mr. Sharon to which this resolution refers and endorses, President Bush seems to make a troubling shift in the long standing policy of the United States. For years, the U.S. has attempted to facilitate, encourage and promote Israeli-Palestinian negotiations.

Now, however, with the issuance of the Bush letter and completely outside of the framework and process of final status negotiations, the United States has approved of Mr. Sharon's unilateral plan involving two very central and sensitive issues—the disposition of Israeli West Bank settlements and the Palestinian refugees' "right of return." To prematurely make significant determinations in favor of one party—the Israelis—without any input from the other—the Palestinians—is, at the very least, imprudent and prejudicial. In my view, this shift will further complicate, frustrate and forestall final status talks.

As stated in an Israel Policy Forum (IPF) commentary, "Shutting the Palestinians out

also means that they incur no new obligations. At a time when Israel needs Palestinian assistance to end terrorism, they are locked out of the room. At a time when America needs the Islamic world to view the United States as not hopelessly biased against it, the Palestinians are given the back of the hand."

In the end, to resolve this two-party conflict requires a two-party commitment. I hope that the Israelis and the Palestinians soon will realize that their future and their fortunes are inextricably linked. As the Road Map envisions, both sides ultimately must reconcile differences, make concessions, accept obligations, and take simultaneous steps for progress and peace. In the words of IPF, "Any successful movement toward an agreement requires Israeli-Palestinian, and not Israeli-U.S., negotiations." I agree.

While the evacuation of Gaza could be a first and positive step towards a just and lasting peace, many other steps must follow. But only a negotiated resolution, involving both the Israelis and the Palestinians, will bring about a just and lasting peace. Unilaterally evacuating Gaza alone will neither stabilize the region nor produce an enduring peace. As President George Bush has said—and President Bill Clinton before him—in the past, only a solution that is "mutually agreeable" to both sides has a realistic chance of long-term survival and success.

It is because I believe deeply in the role of the U.S. as a genuine partner for both sides in the peace process that I remain committed to the Road Map.

DEVELOPMENTS WITH THE LORI BERENSON CASE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mrs. MALONEY. Mr. Speaker, I urge my colleagues to read this excerpt from "What-ever Happened to Lori Berenson, President Toledo's Trophy Prisoner?" This analysis was prepared by Abigail Jones, Research Associate at the Council on Hemispheric Affairs, and presents factual documentation about the recent developments in the case of my constituent, Lori Berenson, who has been imprisoned for eight and a half years in Peru. During her imprisonment, she has never received a fair trial. I remain hopeful that the Peruvian government will release Lori from prison. It is time for her to come home.

(Excerpt): "Lori Berenson, a 34-year-old New York native, has spent eight-and-a-half years incarcerated in Peru without the benefit of a fair and impartial trial—until now. Berenson's most recent trial was heard on May 7, 2004, in San Jose, Costa Rica before the Inter-American Court of Human Rights, the OAS's highest judicial body for the regional organization's member states. The CIDH exerts jurisdiction over OAS members who have ratified the American Convention on Human Rights, which Peru has endorsed. It is of note that this Court does not adjudicate the innocence or guilt of a defendant, but rather evaluates a state's compliance to the tenets of the Convention. The Court consented to hear Berenson's case upon the request of the Inter-American Commission on Human Rights

(IACHR), after the Peruvian government failed to comply with the Commission's 2002 recommendations calling for the restoration of Berenson's rights, monetary compensation for damages incurred while in prison and a general overhaul of the anti-terrorism laws that have condemned hundreds if not thousands of Peruvian nationals under the Alberto Fujimori regime (1990–2000), to a parody of properly administered justice.

"If Berenson were to be exonerated of her alleged offense, the Peruvian government would be obliged to comply with the Court's judgment, based on Article 68 of the American Convention on Human Rights; this clause asserts that, 'The States party to the Convention undertake to comply with the judgment of the Court in any case to which they are parties.' Former U.S. Attorney General Ramsey Clark represented Berenson throughout the Court proceedings and was assisted by noted criminal and international lawyer Thomas H. Nooter as well as Peruvian lawyer Jose Luis Sandoval Quesada. The Court's ruling will likely be handed down later this year. . . .

"In December of 1994, Berenson allegedly arrived in Peru as a journalist to work for two small American publications, *Modern Times* and *Third World Viewpoint*. On Nov. 30, 1995, the Peruvian police arrested her aboard a public bus on charges of 'treason against the fatherland.' After being illegally interrogated by the police without the benefit of a defense counsel, Berenson appeared before a 'faceless' military court that had a 97 percent conviction rate. In a grossly contrived trial before a hooded military judge who most likely hadn't attended a day of law school, this court sentenced her to life in prison for her suspected leadership position in the Tupac Amaru Revolutionary Movement (MRTA) and for the role she purportedly played in plotting a foiled attempt to abduct members of Peru's Congress. However, after years of outraged international protest over her patently inequitable trial, she continues to serve a 20-year sentence, after a civilian court overturned the '96 supreme military court's decision on the basis of newly obtained evidence that proved she was not a leader of the MRTA. She was then convicted on a lesser offense of abetting a terrorist organization. The civilian court acquitted Berenson of both membership in and militancy with a subversive organization."

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2005

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4548) to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Mr. HOLT. Mr. Chairman, the list of recognized intelligence failures is depressingly long and still growing. Despite these documented missteps, the House Leadership has produced an Intelligence Authorization bill that says we'll

keep doing more of the same. We'll conduct our intelligence the same way as we have in the past. We'll spend a little more money here, a little less money there, but we'll do the same things we've been doing and do them the same way. And Congress will continue to abdicate its oversight responsibility. That's unacceptable.

Every member of this Congress supports the men and women of our intelligence community who put their lives on the line every day to keep our nation safe. I am a veteran of the intelligence community, having worked at the State Department's Bureau of Intelligence and Research, and I have the utmost respect for our intelligence professionals. However, we do a disservice to their hard work and personal sacrifice if we do not make sure that they have the tools and organizational structure they need to perform their duties successfully.

We all know now that they work within a broken system plagued by miscommunication, lack of coordination, and poor organization. In my view, the worst thing we can do for them is to continue to prop up this broken system. When a ship is sinking, you can either hand out buckets or you can repair the holes. Congress should be in the job of repairing the intelligence community, not bailing it out.

I want to be clear that our intelligence failures are not the fault of the men and women who work in the intelligence community. They are the result of complex, competitive and often redundant organizations that prevent the good work of our intelligence operatives from resulting in good, comprehensive products.

Unfortunately, there is no indication in this bill that we have learned anything from our intelligence mistakes. Nearly 3 years ago, our intelligence services failed to prevent the attacks on the World Trade Center, which took the lives of more than a hundred of my constituents in central New Jersey. An anthrax attack, which originated in my district and which targeted Members of Congress and other innocent citizens, still remains unsolved by the FBI. Today, our soldiers are risking their lives in Iraq after fighting a war to bottle-up weapons of mass destruction that our intelligence services said were there, but were not. The list of failures goes on.

And yet, with this bill, Congress continues to fail to make any reforms of the intelligence community. In fact, there is no indication in this bill that Congress plans to exert any more oversight over the intelligence community to hold it accountable for its performance than it has in years past. That is inexcusable.

In Committee, many of my colleagues and I offered a series of commonsense reforms that would have strengthened intelligence and strengthened oversight. They were all rejected.

For example, one of the reforms included a provision that would have established a special "red-team" that would have been charged with challenging assumptions and poking holes in the so-called "judgments" of the Intelligence Community. In other words, the "red-team" would be our in-house devil's advocate. It would make Intelligence analyses like the National Intelligence Estimate stronger and less subject to misinterpretation or selective editing by providing policy-makers with a new "red team" section where all doubts, con-

cerns, and alternative views are clearly laid out. It would help us make sure that we actually know what we think we know. There was no reason for this reform to be rejected.

Finally, I was horrified that the Majority decided not to allow debate on Mr. Peterson's amendment, which would have fixed a major flaw in this bill. The bill only funds one-third of the critical counterterrorism funds the intelligence agencies say they need. The Peterson amendment would fund 100 percent of the counterterrorism funding needed and would do so now.

Instead, the Majority plans to wait to ask for more money in a supplemental appropriation later this year. However, by funding our intelligence community by supplemental we in Congress will be curbing our own ability to oversee how those funds are spent. We need to give the intelligence community the financial support it needs, but it would be irresponsible for us to give them a blank check and not ask any questions.

As a member of the House Permanent Select Committee on Intelligence, it is my responsibility to make sure that this Congress both exerts the proper oversight over our intelligence community and that the community receives the proper directives and funding to be successful. I cannot in good conscience vote for this bill because it is structured in such a way that will only contribute to more intelligence failures in the future.

HONORING HOLLY WALKER FOR HER OUTSTANDING SCHOLASTIC ACHIEVEMENT

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. PORTER. Mr. Speaker, I stand here today to honor an outstanding young woman and student. Holly Walker has received the Discover Card Tribute Award Scholarship. As one of eight Nevada recipients, Holly went on to compete nationally for Discover Card's top scholarship award in which she, along with nine other students from around the country, were awarded an additional scholarship on top of the award received at the state level.

Discover Card awards scholarships to junior high school students based on leadership merit, academic achievements, and the ability to share talents with others while simultaneously overcoming considerable personal challenges. The scholarship can then be used for any type of post-high school education.

I congratulate Holly Walker for this great accomplishment and contribution to the state of Nevada. As one of only nine national recipients, and the only Nevada recipient to receive such an honor, I ask my colleagues to stand with me in recognition of this outstanding high school student.

CONGRATULATING GLORIA
MACAPAGAL ARROYO ON THE
OCCASION OF HER RE-ELECTION
AS PRESIDENT OF THE PHILIPPINES

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. ISSA. Mr. Speaker, I rise today to congratulate Gloria Macapagal Arroyo, who was officially proclaimed President of the Philippines yesterday, the 23rd of June, 2004. This election marks a milestone in the politics of the Philippines. It demonstrated that, despite the difficulties that persist in the Philippines, the leadership of the country remains committed to democratic governance.

I have had the pleasure of meeting President Arroyo on two separate occasions. I have also interacted and worked with several members of her cabinet. The Philippines, under the leadership of President Arroyo, has been a steadfast partner of the United States in the War on Terror. While Al-Qaeda has sought to spread its influence, training camps and criminal enterprises into Asia, the government of the Philippines has taken a proactive approach to ensure that international terrorism does not take root in this strong ally of the United States. The government of the Philippines has recently made important strides towards protecting intellectual property rights and other measures that will strengthen trade and contact between our two nations.

Mr. Speaker, as Americans, we have the privilege of living in the world's strongest democracy and as such we, as a nation, often take it upon ourselves to answer freedom's call and point out injustices in the world and, in some occasions, take an active role to bring democracy to those who do not enjoy freedom. While these cases of injustice often command our immediate attention, it is important to note the United States has many friends throughout the world who, like the Philippines, have been there for the United States when we have needed a dependable ally.

The 108th Congress has also acted to strengthen the friendship between our two nations. The aid we provide the Philippines provides important support in the War on Terror and our decision to grant Filipino veterans of World War II the same benefits as the American counterparts with whom they served has gone a long way toward righting an injustice and enhancing the ability of the government of the Philippines to work with the United States on numerous issues of mutual concern.

Mr. Speaker, as co-chair of the U.S.-Philippines Friendship Caucus, I congratulate both President Gloria Macapagal Arroyo on her reelection to a new term of office and the people of the Philippines for holding a competitive election that demonstrated the vibrant spirit of democracy of the Philippines. I look forward to working with President Arroyo on future projects that benefit both America and the Philippines.

PERSONAL EXPLANATION

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. GONZALEZ. Mr. Speaker, on rollcall Nos. 25, 26, and 27, had I been present, I would have voted "yes."

CONGRATULATING DR. IRVIN
HAMLIN**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate Dr. Irvin Hamlin, M.D. of East Millinocket, Maine who is set to retire after practicing medicine for over 48 years in the Katahdin Region.

After serving his country as a medic in World War II, Dr. Hamlin returned to the states and attended Colby College in Waterville, Maine and completed his medical training at the Tufts University Medical School. Upon graduation from medical school, Dr. Hamlin had a brief internship in Springfield, Ohio and then moved to East Millinocket in 1955, where he has remained ever since.

Dr. Hamlin has always exemplified the qualities of superior citizenship; his dedication to his patients and his community should serve as an example to others. Always one to bring a smile to his patient's faces, Dr. Hamlin's good humor and practical jokes are renowned throughout the region; but his compassion is his most outstanding quality. I have felt this part of his caring in my life when he attended to my own father.

It is always with some lingering sadness that I pass along my best wishes for the retirement of an individual like Dr. Hamlin. Though his retirement is well deserved it also signifies that the Katahdin Region is losing one of its most valued and experienced physicians. While his presence as a physician will be sorely missed; the extra time to spend with his family and fishing in area lakes and streams is long over due. I only ask that he leave some fish for the rest of us to catch.

The Millinocket Regional Hospital for which he worked for so many years will honor Dr. Hamlin next Thursday, July 1, 2004. I am sure the people of the Katahdin region will turn out in droves to congratulate him and thank this wonderful man who has spent so many years serving them.

After 48 outstanding years of dedicated service, it is my great pleasure to congratulate Dr. Hamlin and thank him for his tireless service.

HONORING THE 40TH ANNIVERSARY OF THE
SHEVCHENKO MONUMENT**HON. DANNY K. DAVIS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. DAVIS of Illinois. Mr. Speaker, four decades ago, on June 27, 1964, the Ukrainian

American community marked a significant event—the unveiling of a monument to the Great Kobzar, Taras Shevchenko. Taras Hryhorovich Shevchenko, the great Ukrainian poet, artist and thinker, the revolutionary-democrat, and the ardent fighter against tsarism and serfdom. He is considered the great son of the Ukrainian people. As the autocratic government of tsarist Russia attempted to erase Shevchenko's name from people's memory and suppressed all attempts to immortalize in sculpture the image of the poet of genius, the people could not forget this man. The first monument in the country, the bust in marble, to the great Kobzar was set up illegally in 1899 in Kharkov. On March, 24, 1935, it was a great holiday for the people in Kharkov as they joined together for the unveiling of the first legal monument of Shevchenko.

Almost 30 years after the people of Ukraine celebrated their monument, the Ukrainian Americans were able to have a holiday of their own. Through hard work, generosity, and dedication, the Ukrainian American community was able to honor their country's hero with a monument in the Nation's Capitol. Over 100,000 attendees participated in the festivities 40 years ago dedicated to the unveiling of the Taras Shevchenko monument. The Ukrainian American community is fortunate to celebrate this significant milestone 40 years later. I am proud to represent an area of Chicago that we call "Ukrainian Village." I want to honor this special day with my constituents and praise the Ukrainian community, Ukrainian Congress Committee of America, the Ukrainian National Women's League of America (UNWLA), the U.S.-Ukrainian Foundation and all the organizations involved in honoring the 40th Anniversary of this special monument.

Mr. Speaker, this monument stands for more than just honoring a great man but also as a way to never forget the struggles and the human rights violations by the former Soviet regime and political repressions against those who struggled for Ukraine's liberation.

REMEMBERING A SOUTH CAROLINA
HERO, THOMAS CAUGHMAN**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. WILSON of South Carolina. Mr. Speaker, on June 9th, one of Lexington, South Carolina's most beloved sons, Army Specialist Thomas Caughman, was lost, when he was killed in a terrorist attack while serving in Iraq.

As Thomas wrote from the field in Iraq, "freedom isn't free." Sadly, his family, friends and fellow South Carolinians have learned this lesson in a painful and personal way. Thomas Caughman was the son of proud parents Hampton and Jane Caughman of Lexington, South Carolina.

Thomas will forever be an American hero for defending the American people in the War on Terror. I ask all of my colleagues to join me in extending our deepest regrets to the family of Thomas Caughman, and the entire Wilson family sends their thoughts and prayers.

I request that the following article from The State newspaper be placed into the RECORD, in remembrance of the fallen hero.

[From the State, June 19, 2004]

WAR IN IRAQ: LEXINGTON BIDS FAREWELL TO A
FALLEN HERO

(By Chuck Crumbo)

When he wrote home, Army Spc. Thomas Caughman would close his letters with these words: "Freedom isn't free."

On Friday, family and friends honored the 20-year-old Lexington County soldier who paid the ultimate price.

About 1,000 crowded into the pews and lined the walls of Red Bank Baptist Church, and another 200 to 300 waited outside in the sweltering heat, as Caughman was remembered as a joyful and religious young man who made others around him feel special and loved.

A large crowd was expected. Caughman was a member of one of Lexington County's best-known families, with ties to banking, retailing and the religious community.

Nearly an hour before the service, traffic was backed up a quarter of a mile on S.C. 6, which runs past the church in the heart of the Red Bank community. After the church parking lot filled up, some mourners had to park across the street in the lot of St. James Lutheran Church.

The turnout would have delighted Caughman, said the soldier's uncle, Glenn Day, who offered personal remarks during the service.

"If he could say something to me right now and come up and do that little backhand on your chest . . . he'd say, 'Look at that crowd I got for you,'" Day said to laughter.

Caughman, a 2002 graduate of Lexington High School, died June 9 while patrolling a Baghdad neighborhood for bombs used to attack U.S. troops.

The Army said Caughman's armored vehicle was struck by rocket-propelled grenades and small arms fire. Two other soldiers in his vehicle also were wounded seriously.

Caughman was assigned to Army Reserve Company C of the 291st Engineer Battalion, based in Spartanburg. He transferred to a Pennsylvania combat engineer unit when it was called up for active duty.

Caughman is the first fatality of the Iraqi war from Lexington County and the 21st member of the armed services with ties to South Carolina to die in the conflict.

Friday's service was a mix of sweet sentiment—about a son, brother, nephew, cousin and soldier—and a dose of unabashed patriotism.

Just after the service started, the Rev. Robert "Butch" Powell asked mourners to salute some 60 members of the U.S. military who attended the funeral, including four dozen members of Caughman's Reserve unit.

Led by the fallen soldier's parents, Hampton and Jane Caughman, mourners stood and offered a thunderous ovation that lasted for 40 seconds.

Later, pictures of Caughman flashed on a screen at the front of the church while country singer Toby Keith's recording of "American Soldier" was played over the public address system.

The pictures covered Caughman's life from toddler to soldier.

There were shots of Caughman as a child at birthday parties, pedaling his red tractor, riding horseback, playing youth league baseball and fishing at the family pond.

There also were pictures of Caughman at his high school graduation flanked by his parents, shots of him and his buddies posing with a buck they had bagged, and images of him in his Army desert togs at the wheel of a Humvee.

Caughman's parents said he loved children and especially relished the time he could spend with his cousins at family outings.

One of those cousins, 6-year-old Hannah Frye, honored Caughman by standing before

the packed church and flawlessly singing Lee Greenwood's patriotic hit, "God Bless the USA." During the service, Day often referred to his nephew's ever-present smile.

"Every time I close my eyes, I see that smile and that smile tells you a lot about a man's spirit," Day said. "I take great pride in being Thomas Caughman's uncle."

The Rev. Powell recalled one of his last conversations with Caughman, before the soldier headed for Iraq. Caughman believed it was his responsibility to fight for the freedom that his family, friends and fellow Americans enjoy, Powell said.

"He told me, 'I'm not married, I don't have any kids. I'm going for those who can't. I'm going because it's right,'" Powell said.

Referring to Caughman's writing "freedom isn't free" in his letters, Powell said, "there is a cost to be paid for freedom and he willingly paid that cost."

"Thomas Caughman was a hero, and so are the others who are still over there. Don't forget them in your prayers."

After the service, mourners filed outside to the church cemetery, where Caughman was laid to rest in a family plot near his grandfather, Raymond B. Day, the church's pastor for 36 years. Caughman received full military honors and was awarded posthumously the Bronze Star for meritorious service and the Purple Heart.

Brig. Gen. Thomas Bryson, deputy commander of the 81st Regional Readiness Command, presented the U.S. flag that draped Caughman's casket to the soldier's parents.

And then, after a final prayer, Hampton and Jane Caughman rose from their seats, stepped to their son's casket and gently patted and rubbed it.

Caughman's 17-year-old sister, Lisa, and his girlfriend, Lindsey Hendrix, followed. Each laid a rose on top of the casket and gave it a soft kiss.

Before the service, Toyanna Frye, who is married to one of the soldier's cousins, talked about Caughman's desire to serve and how he touched others' lives.

"It makes you look at your life and how we need to serve others," Frye said. "I imagine that it was a wonderful day in heaven when he came home."

CONGRATULATING TYLER TAPPENDORF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. COSTELLO. Mr. Speaker, I rise today to congratulate Tyler Tappendorf of Belleville, Illinois on winning the National Peace Essay Contest in Illinois.

As my colleagues may know, the essay contest is sponsored by the United States Institute of Peace, an independent, non-partisan federal institution that promotes research, education and training on the prevention, management and peaceful resolution of conflict. First conducted in 1987, the essay contest is the Institute's primary outreach program to high school students.

Contestants this year were asked to analyze the process of rebuilding societies after conflict. Tyler's essay, *Rebuilding from Past Conflicts*, was selected as the best from the state of Illinois. Tyler attends Belleville East High School and plans to attend Valparaiso University and study actuarial science and Spanish.

Mr. Speaker, I wish Tyler the best of luck in the future and again congratulate him on this

great accomplishment, and I am entering his essay into the RECORD so it can be enjoyed by others.

REBUILDING FROM PAST CONFLICTS

From the sheer numbers of a post-war death toll to the immense destruction of buildings and infrastructure, conflicts leave their mark on the world. The work that continues once the fighting has stopped determines whether more problems will erupt or whether an ultimate peace will triumph. This post-war reconstruction is often a complex and difficult process. From the players in the rebuilding to the system of governance, each aspect of reconstruction impacts the final outcome. Though some attempts have failed and others have succeeded, humankind can learn a great deal from past reconstruction efforts. The analysis of the aftermath in Japan after World War II and the reconciliation in Rwanda following the 1994 genocide suggests that plans for successful rebuilding must include a branching network of peacekeepers, an effective system of justice, and an impartial system of governance.

On August 15, 1945, the largest war in the history of the world reached its end onboard the U.S.S. *Missouri* after the United States unleashed on Japan the world's most powerful bombs. According to W. G. Beasley, with the swipe of a pen, the Japanese handed over power to the United States beginning a seven-year occupation feared by many Japanese as the end to their country, but ultimately recognized as "a fresh beginning" (214).

Embarking on what political scientist Robert Ward calls "the single most exhaustively planned operation of massive and externally directed political change in world history," the United States commenced reconstruction with trials of war criminals (Nardo 91). These trials quickly eliminated outside cries for revenge. Concurrently, new officials removed old leaders from the country, and the occupational government forced Emperor Hirohito to resign his position and denounce his supposed godliness (Dilts 294). This eradication of opposition laid the cornerstone for a smooth reconstruction.

Along with the United States' system of justice, the means of governance also helped assure the success of the reconciliation process. W.G. Beasley noted that though the United States controlled the country, it chose to govern indirectly through a modified body of Japanese leaders (215). The government also avoided unpopular laws, therefore evading much opposition (216). In conjunction with this, the U.S. also reassured safety and the betterment of the people. This not only initiated future friendliness, but also generated cooperation by the Japanese people (Dilts 294). In ruling through the country's own people and recognizing the citizen's views, reconstruction planted democracy while still maintaining support of the people.

Together with fair governance, a primary country controlling the process eased the reconstruction. As noted in Modern Japan, numerous countries such as Britain, China, and the Soviet Union would have an influence in the reconstruction, but the large majority of the power fell into the hands of the United States and General Douglas MacArthur (92). This separation between major and minor influences resulted in easier governance along with fewer disputes over insignificant details. By simply gathering the world's suggestions and channeling them through one enforcer, the reconstruction leaders simplified the process.

With a system of justice, a fair and respected government, a purpose of overall improvement, and one major peacekeeper

backed by other nations, the peacekeeping process reached its ultimate goal on April 28, 1952. With over fifty nations present, a treaty granted Japan freedom to pursue democracy peacefully and prosperously. Over fifty years later, Japan reigns as a world power while still remaining a peaceful, democratic nation.

Similar to Japan, Rwanda faced a massive reconstruction following its 1994 genocide. Unfortunately, its outcome proved to be less successful. In April 1994, the murder of Rwanda's Hutu president, coupled with an unsettled past, instantly incited Rwanda's two tribes—the Hutu and Tutsi—to violence. As reported by Bitala, the Hutu, with revenge in mind, murdered nearly 800,000 Tutsi in a span of about three months (6). Though the Tutsi also murdered many Hutu, the numbers of their killing was significantly lower than the genocide carried out by the Hutu (Santoro 11). The violence only reached its end after the Tutsi-led government, the RPF, gained control of the capital (11).

In a 2001 issue of World Press Review, Michael Bitala also noted that almost immediately the remaining Tutsi pleaded for the RPF to implement a system of justice (6). These requests forced Rwanda's minister of justice to lock up over 100,000 suspects, and, consequently, Rwanda's prisons immediately became overcrowded and unsanitary (6). In order to achieve actual justice, leaders derived a new system called "gacaca" in which small village courts would hear cases. Discussed in *The New Republic*, here at the gacacas the killers would face a panel of village leaders who would decide their fate (11). Though the plan began over three years ago, Rwanda has since made little progress (11). Many killers refuse to admit their crimes, many villages simply do not use gacacas, and many RPF leaders discourage the tribunals (11-12). Though the new system of justice in Rwanda can accommodate the masses, it unfavorably plots killers versus victims therefore destroying any hope of fair trials.

Together with a poor justice system, the government, led by the RPF plays unfairly to the Hutu, disrupting hopes of reconciliation. From its beginnings in 1994, the RPF-led government quieted nearly all resistance to its policies. According to Santoro, the totalitarian regime even hindered the planned gacacas (12). In mid-2003 the first election with more than one political party was held in Rwanda, yet despite this apparent improvement, election fraud in all forms belied the progress proving once again the authoritarianism of the government (Coleman n. pag.). Without a government willing to benefit all people of the reconstruction, little progress can be made.

The division of authority among participants in Rwanda's reconciliation also has hindered its success. As written by Fedarko, immediately following the genocide, French troops served as protectors to the survivors (56). Following this the German government agreed to lead the process for gacacas (Santoro 11). Numerous non-governmental organizations (NGOs) played a similar role throughout the peace process as well (11). All these forces coupled with the Tutsi-led government created an overload of influence without one primary overseer. No government—besides the RPF—was in complete control. Without one dominating mediator, the process was delayed and complicated.

Rwanda, despite its many efforts, has not reconciled completely. Although no formal fighting has since broken out, the Hutu and Tutsi tribes still stand divided inside the country's borders. Until Rwanda can establish an effective system of justice along with an unbiased government, little progress will occur.

Though the reconstruction efforts in Japan and Rwanda contrasted in many aspects, society can learn many of the same lessons from them. First, both wars present evidence that reconstruction must include an effective system of justice. An international group, such as the United Nations, must establish a permanent world court that reviews major war crimes. This court should consist of judges from numerous nations and serve as the authority over post-war justice. Impartiality must be maintained. Along with this, the reconstruction government must establish lesser courts within the damaged country to deal with lesser criminals. Only justice can suppress victims calling for revenge and remove insurgents opposing peace. Hence, a system of justice allows for a smoother rebuilding process.

Along with a system of justice, one major authority should control reconstruction, although numerous others should have an input on large decisions. Through this branching system, reconstruction becomes more effective and efficient. When one government enforces policies and bears the final authority decisions avoid delays in arguments. The other players, however, must choose the country or NGO to become the primary force. This chosen group must seek to benefit the war-torn country and its people. Similarly, the ultimate goal of the main regulator must focus on plans for a peaceful future as well as reconstruction of structures and government.

Finally, the players must institute a reasonable and impartial government. Though the major authority should assist the new government, the ruling body should consist only of natives. This prevents opposition to outside governments and eventually encourages self-rule. In conjunction with this, the new or revised government must recognize the needs and wants of the citizens. Governments must also establish fair laws as well as democratic elections and processes. If at any time the reconstruction leaders feel that the new government is failing, then they should have authority to revise or remove it. Through an evenhanded government, a country can reestablish itself while protecting the rights of its citizens.

With the implementation of a primary reconstruction leader, an operative system of justice, and an impartial government, post-war countries can begin to rebuild more effectively. Though numerous others aspects will also dictate the ultimate success of the process, these three areas will only benefit the reconciliation. Assuredly reconstructions will remain a part of society in the future because countries will continue to fight numerous wars and battles for years to come. Though conflicts will continue to arise, mankind can learn from the past in order to protect peace for the future.

IN MEMORY OF JACQUELINE
ALTMAN MALLORY

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. MICA. Mr. Speaker, I would like to pay tribute to a good friend, a community leader, a wonderful wife and mother, and devoted American, Jackie Mallory.

Jacqueline Altman Mallory of New Smyrna Beach, Florida died June 23, 2004, in Port Orange, Florida. She was born in Homestead, Florida on August 27, 1936.

She was a graduate of New Smyrna Beach Senior High School. She received a degree in

early childhood elementary education in 1957 from Florida State University. She was a member of the Delta Gamma sorority and was a member of the theater dance group. She taught school in Boston, Massachusetts and Sanford, Florida.

In 1974, Jackie earned a nursing degree from Daytona Beach Community College and worked as a registered nurse.

Active in civic affairs, Jackie was on the Board of the Southeast Volusia Hospital District at the time of her death. She also served in that capacity under Governor Bob Martinez. Recently, a building at Bert Fish Medical Center was designated to be named in her honor.

She was a member of the Smyrna Yacht Club; a member and past president of the Southeast Volusia Republican Club; a former member of the Volusia County Republican Executive Committee; a former board member of the Visiting Nurses Association, the Volusia/Flagler Red Cross, and the Space Coast Lung Association. She was active in numerous American Cancer Society Fund Raisers; was on the founding committee for the Atlantic Center for the Arts and Images; and was a cheerleading coach for the Southeast Volusia Athletic Association. She was a member of St. Paul's Episcopal Church.

She is survived by her husband, Peter, a son, Peter and his wife Sherri of Panama City; a daughter, Betsy Visconti and her husband Joseph of Titusville; a brother, Vernon Altman and his wife Mary Lee of Palo Alto, California; a sister, J'neese Strozier and her husband Thomas of Miami and New Smyrna Beach; and two grandchildren, Mallory Marie Pumphrey of Titusville and Mary Christine Mallory of Panama City.

Florida and the New Smyrna Beach area have lost a community leader. The Mallory Family has lost a loved one. I have lost a special friend whom it has been my honor and privilege to know.

A TRIBUTE TO JACK VALENTI

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is an honor and a privilege for me to pay tribute today to one of Texas' favorite native sons, Jack Valenti, the head of the Motion Picture Association of America (MPAA) for 38 years, who announced that he plans to retire in a few months.

Born in Houston, Texas, Mr. Valenti was the youngest graduate from high school at age 15 in the city. He began work as an office boy with the Humble Oil Company now Exxon located near my Congressional district.

As a young pilot in the Army Air Corps in World War II, Lieutenant Valenti flew 51 combat missions as the pilot-commander of a B-25 attack bomber with the 12th Air Force in Italy. He was decorated with the Distinguished Flying Cross, the Air Medal with four clusters, the Distinguished Unit Citation with one cluster, the European Theater Ribbon with four battle stars.

He graduated with a B.A. from the University of Houston and from Harvard University with an M.B.A. In 1952, he co-founded the advertising and political consulting agency of

Weekley & Valenti, which was in charge of press during President Kennedy and Vice President Johnson's eventful visit to Texas.

Mr. Valenti was in the motorcade (six cars back of the president) in Dallas on November 22, 1963. Within an hour of the assassination of John F. Kennedy, Mr. Valenti was aboard Air Force One flying back to Washington with the new president as the first newly hired special assistant to President Johnson.

Mr. Speaker, it was almost 38 years and 22 days ago today that Mr. Valenti retired from his post as special assistant to Lyndon Johnson and became the President of MPAA.

In his position as President and Chief Executive Officer of the MPAA, Mr. Valenti has presided over tremendous worldwide changes in the industry. New technologies, the rise in importance of international markets, and the tyranny of piracy have radically changed the landscape of the American film and television industry. It is Mr. Valenti's leadership and personal efforts that led the confrontation with these global dangers, problems and opportunities.

Mr. Speaker, our communities and our country have always relied on the contributions of those individuals who have the ability to rise above and beyond the call of duty to make a difference in the lives of others, both personally and professionally. Jack Valenti has demonstrated an unflinching and tireless commitment to the betterment of the U.S. movie industry and the entire Nation.

Indeed, we need more people with his vision and energy to tackle the vast challenges we all face. It is reported in the print media that Mr. Valenti will continue his distinguished service to the people of this Nation as the president of a new Washington, DC-based not-for-profit group aimed at supporting the Global Fund to Fight AIDS, Tuberculosis and Malaria.

When someone leaves a post of importance, it is often said that his or her shoes will be hard to fill. But I can say without hesitation that, in Jack Valenti's case, this is an understatement. In addition to his excellent work on behalf of the movie industry, his influence has been felt far and wide—from the leaders of nations abroad, to young generation here at home.

Mr. Speaker, I would like this opportunity to thank one of Texas' favorite native sons, Jack Valenti for his years of contributions and dedicated service to the industry and the Nation. I wish him well on his future endeavors.

REVISING THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005 AS IT APPLIES IN THE HOUSE OF REPRESENTATIVES

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. KIND. Mr. Speaker, budgeting is all about priorities. I strongly believe that we can invest in those priority programs important to people in western Wisconsin and throughout the nation, while reducing the record deficits that threaten our economic prosperity.

As a member of the House Budget Committee, I worked with my colleagues to draft an

alternative budget proposal that would have done just that. Our alternative provided important funding for chronically underfunded education programs such as No Child Left Behind and IDEA. The federal government promised that when these programs went into effect, it would provide funding to carry them out. Under the President's budget and the Majority's budget, we are not meeting this promise, and it is hurting local school districts.

Our alternative budget also provided increased funding to meet the demands on our local first responders, provide more for veterans' health care needs, and improve the quality of life for our armed service members. Further, by making tough choices on spending and taxes, we provided more tax relief for middle income Americans while reducing the record federal budget deficits. We can do this if we can work in a bipartisan manner. Unfortunately, the budget resolution narrowly passed by the House earlier this year failed to make these key investments while still leading us down the road to the largest budget deficits in the history of our nation.

Today, we have been given the opportunity to address our budget shortfalls. The resolution offered by Congressman OBEY targets increased funding toward ten top priority issues, while providing \$4.7 billion to reduce future taxes on our children resulting from the these current budget deficits.

The Obey resolution:

Restores funding for training and equipment needs of state and local fire fighters, police, paramedics, public health officials, and emergency managers.

Fully funds veterans medical care at levels advocated by the bipartisan House Veterans Affairs Committee. Veterans organizations expressed outrage at the inadequate healthcare funding levels included in the Majority's budget.

Adds funding for military housing needs to help the families of our armed service members. The Department of Defense notes that over 120,000 service members do not have decent housing.

Funds the No Child Left Behind program.

Meets the minimum funding necessary to meet promises for special education.

Increases Pell Grants to more closely resemble inflation increases, helping lower income student afford college.

This is by no means unnecessary or wasteful spending. It simply restores cuts to programs important to the people of western Wisconsin and provides adequate levels of funding to meet government promises.

It is also fully paid for. As I mentioned earlier, budgeting is about tough choices, and included in this resolution is a reasonable trade off. In order to provide this important funding for military service members, students, veterans, and local first responders, the resolution propose reducing future tax relief for those wealthiest Americans with over \$1 million in annual adjusted gross income. The tax packages of 2001 and 2003 included enormous benefits for the wealthiest 1 percent of Americans. The Obey proposal will keep many of these tax provisions in place. In fact, those with annual adjusted gross incomes over \$1 million will still get around \$24,000 in tax relief if this resolution is passed.

Contrary to the rhetoric coming from the other side, this will not hurt the vast majority of small business owners. This resolution only

impacts those with over \$1 million in adjusted gross income. I know and work with many business owners in western Wisconsin, and this resolution will provide more help to them and their communities.

Mr. Speaker, we need a new approach to help our local communities and this resolution provides important funding to meet critical priorities. I urge my colleagues to support the Obey resolution.

RECOGNIZING AND ENCOURAGING
ALL AMERICANS TO OBSERVE
40TH ANNIVERSARY OF THE
DEATHS OF ANDREW GOODMAN,
JAMES CHANEY, AND MICHAEL
SCHWERNER, CIVIL RIGHTS OR-
GANIZERS

SPEECH OF

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 2004

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize the 40th anniversary of the deaths of Mr. James Chaney, Mr. Andrew Goodman, and Mr. Andrew Schwerner. I submit the following speech by former Mississippi Secretary of State Dick Molpus published June 25, 2004, in the *Clarion-Ledger Newspaper* of Jackson Mississippi.

To the families and friends of James Chaney, Andrew Goodman and Mickey Schwerner we issue a heartfelt welcome. You and yours are forever linked with all of us. We are honored today by your presence.

Also, as I look across this audience I see people I know from across Mississippi and the United States. I am lifted up by your presence, as well.

This is an historic day for a number of reasons. First, we are seeing a remarkable display of unity and connection from the citizens of Philadelphia and Neshoba County. In the June 2 edition of the *Neshoba Democrat* I saw a picture of Leroy Clemons, president of the NAACP, with Jim Prince, editor of the *Neshoba Democrat*, saying clearly this community has come together and it was time for the "sun to shine through the clouds."

There is no doubt that the work of the Philadelphia Coalition is nothing short of a miracle. I watched with pride as Mayor Rayburn Waddell of Philadelphia spoke for the Philadelphia City Council in passing an unequivocal resolution calling for justice and as the Neshoba County Board of Supervisors, led by James Young, issued their own clear call. The power of human understanding has been shown to us by the 30 individuals who have met every Monday night for two months to plan this event and authored their own eloquent and moving tribute to Messrs. Chaney, Schwerner and Goodman. I am more proud of the leadership in my hometown than at any time in my life.

I believe, however, until justice is done, we are all at least somewhat complicit in those deaths. I recognize that only a handful of hate-filled men actually committed the murders, but we are all, to some degree, implicated. Some will say, "How can that be? Why can't we just move on?" Most weren't members of the Klan, those of you under 40 weren't even born and many of the baby-boomers, myself included, were teenagers. Many of our older citizens would never have ridden the dirt roads to terrorize and they don't condone murder.

But all us who are Neshoba Countians or Mississippians have to acknowledge and face

our corporate responsibility in this tragedy and I'm not talking about some fruitless and useless intellectual effort to assign guilt or blame.

The debate about who could have or should have done what in 1964 could go on forever. It's a discussion that carries us no where—there is no resolution. But that does not mean we can move on by ignoring where we are in 2004.

One fact is absolutely clear. Hear this: For 40 years, our state judicial system has allowed murderers to roam our land. Night riders, church burners, beaters and killers deserve no protection from sure justice.

Our district attorney, Mark Duncan, is elected by Neshoba citizens and those in four adjoining counties. Jim Hood, our attorney general, is elected by all Mississippians. Our U.S. attorney, Dunn Lampton, is appointed by the president of the United States, an election we all vote in. These are not weak, timid or cowardly men. They have all voiced their support for bringing charges with proven evidence that will lead to a conviction.

But our local responsibility for what happens in the future is also heavy. Clearly, we need to encourage and support those prosecutors. But those of us with local roots must do more.

By most accounts there were 20 men from Neshoba and Lauderdale Counties involved in the planning and actual executions. A number of them have taken to their grave their knowledge of this crime. They have already had their judgment day. Others, however, certainly told wives, children and buddies of their involvement.

So there must be witnesses among us who can share information with prosecutors. Other murderers are aged and infirm and may want to be at peace with themselves and with God before their own deaths. They need to be encouraged to come forward. Now is the time to expose those dark secrets.

When we have heard murderers brag about their killings but pretend those words were never spoken, when we know about evidence to help bring justice, but refuse to step forward and tell authorities what they need to know ... that's what makes us in 2004 guilty. Pretending this didn't happen makes us complicit. We must provide the help prosecutors need to bring closure to this case.

But justice by itself is not enough. These three young men died while urging people to vote and participate in our democracy. James Chaney, Mickey Schwerner and Andy Goodman were American patriots. Their murderers were domestic terrorists.

The end of this saga, however, should not be about cowardly racists finally brought to justice. The final chapter should be about redemption and about moving on—moving on to a better life. The most lasting tribute we can make to these fallen heroes is to move on and to honor their cause.

This is 2004, not 1964. Many of the demons we face today are similar to the ones 40 years ago. True, African Americans have the right to vote, but too few of our citizens—black, white, Indian, Asian or Hispanic—use that right. Public schools were segregated in 1964. With the growth of segregation academies and white flight, many remain that way now. Few politicians today use outright race-baiting, but we see the symbols some use and the phrases they utter and everyone knows what the code is—what really is being said.

In 1964 there was a dependence on low-wage jobs in manufacturing plants. Forty years later, most of the plants are gone, but too many still scrape by on dead-end jobs to make ends meet. Black, white and Choctaw Indian communities here in Neshoba County and Mississippi struggle with the scourge of school dropouts, teen pregnancy and drug

abuse that keep the cycle of poverty unbroken. To build a lasting monument to James Chaney, Michael Schwerner and Andrew Goodman, we must face these issues with a clear, unblinking eye and say "no more."

And finally, we Mississippians must announce to the world what we've learned in 40 years. We know today that our enemies are not each other. Our real enemies are ignorance, illiteracy, poverty, racism, disease, unemployment, crime, the high dropout rate, teen pregnancy and lack of support for the public schools.

We can defeat all those enemies not as divided people—black or white or Indian—but as a united force banded together by our common humanity, by our own desire to lift each other up.

Forty years from now, I want our children and grandchildren to look back on us and what we did and say that we had the courage, the wisdom and the strength to rise up, to take the responsibility to right historical wrongs—that we pledged to build a future together, we moved on. Yes, we moved on as one people.

Dick Molpus, a former secretary of state and gubernatorial candidate, owns the Molpus Woodlands Group, a timberland investment company in Jackson.

IN HONOR AND REMEMBRANCE OF
FORMER CLEVELAND MAYOR
RALPH S. LOCHER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. KUCINICH. Mr. Speaker, we rise today in honor and remembrance of former Cleveland Mayor Ralph S. Locher—Devoted family man, accomplished attorney, Ohio Supreme Court justice, community leader, and admired friend and mentor. Mr. Locher's term as Mayor of the City of Cleveland during a turbulent period of Cleveland's history, solidified his reputation as a man of honesty, integrity and heart.

Mayor Locher was born in Romania to American parents. His family left Europe to return to America, settling in western Ohio. Mayor Locher graduated from Bluffton College in 1936 and graduated from Western University School of Law three years later. He practiced law in Cleveland with Davis & Young until 1945, when he left for Columbus to accept the position of secretary of the Industrial Commission of Ohio.

His political career began in 1953, when Mayor Locher was appointed by Cleveland Mayor Anthony Celebrezze as the city law director. Mayor Locher did not seek elected office—it sought him. In 1962, Mayor Celebrezze resigned his post to accept an appointment by President John F. Kennedy, which immediately plunged Mr. Locher into the role as Mayor of Cleveland. Mayor Locher significantly trounced his opponent at the special election, and ran unopposed for a full term the next year.

Following his departure from office, Mayor Locher went on to be elected as probate judge in 1972. In 1976, Mayor Locher was elected as an Ohio Supreme Court justice, where he served until retiring from the bench in 1988. Mayor Locher served the bench with honor, integrity and concern, and garnered the admiration and respect of everyone associated with the court.

Mr. Speaker and Colleagues, please join us in honor, gratitude and remembrance of Mayor Ralph S. Locher—An outstanding citizen, devoted husband, father, grandfather and great-grandfather, and an exceptional man and caring leader whose life positively impacted the lives of countless. We extend our deepest condolences to Mayor Locher's beloved wife, Eleanor, his daughter, Virginia Wells, and his grandson, and great-granddaughter. His passing marks a deep loss for so many of us who called him friend. Mayor Locher's flawless legacy of exceptional leadership, judicial integrity and sincere concern for others will be remembered always by the people of Cleveland—and far beyond. Moreover, his kindness, grace, and quiet dignity will always serve as example of a successful leader and more importantly—an exceptional human being.

APPLAUDING BETTY DUKES FOR
HER COURAGE IN STANDING UP
FOR WOMEN WORKERS AT WAL-
MART

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. GEORGE MILLER of California. Mr. Speaker, last month, Vice President DICK CHENEY visited the corporate headquarters of Wal-Mart and praised the company for the example it is setting for American business. Here is the example that Wal-Mart has set for American business:

If you violate workers' organizing rights, you can get away with it, receiving just a slap on the wrist from weak and ineffective federal labor laws.

If you shift the cost of health care onto workers who cannot afford it, you can increase your profits and have taxpayer-funded programs like SCHIP pick up the tab.

If you distrust your own workforce enough to disregard their safety, you can lock them inside your store overnight without a key.

If you want to increase the wealth of one of the wealthiest families in the world, you can maintain the lowest wages in the industry, laying off your most senior and loyal employees and replacing them with lower-paid entry-level workers.

If you want to eliminate competition in your industry by lowering your wages and prices, you can force U.S. suppliers to outsource their manufacturing jobs, so that you can reap the benefit of cheap labor from countries with even worse workers' rights records than our own.

All of these reprehensible labor practices are detailed in the February 2004 report which I commissioned, "Everyday Low Wages: The Hidden Price We All Pay for Wal-Mart." I urge Vice President CHENEY to read it.

Today I submit to you, contrary to the Vice President's remarks, that the employees of Wal-Mart are beginning to set an example for American workers—by fighting back on behalf of themselves and others who are unfairly treated by their employer. This week, as the attached L.A. Times article explains, a judge in California certified the largest employment-discrimination class action in history. A class of 1.5 million women who have worked at Wal-Mart are suing the retail giant for sex dis-

crimination. According to papers submitted in court, female employees are paid less than their male counterparts, promoted less frequently than their male counterparts, and retaliated against when they complain. In today's workplace—all too often rife with employer threats and intimidation—it takes a great deal of courage from workers to stand up for their rights. So I rise to salute one of those workers, a brave woman from my home district,

Betty Dukes of Pittsburg, California, one of the lead plaintiffs in this historic lawsuit. She has worked at Wal-Mart for ten years and simply wants a fair opportunity to succeed. She is now standing up for over a million other women who have punched the cash registers, stocked the shelves, and greeted customers for years without that opportunity. Her courage is to be commended. And I hail her as an American hero.

[From the LA Times, June 24, 2004]

WAL-MART PLAINTIFF STILL LOVES THE
STORE: WORKER WHO IS SPEARHEADING A
LANDMARK GENDER BIAS SUIT SAYS SHE
JUST WANTS A CHANCE TO ADVANCE

(By Donna Horowitz, Eric Slater and Lee
Romney)

Pittsburg, CA.—Less than 24 hours after a federal judge ruled that 1.5 million women who have worked for Wal-Mart could pursue a class-action gender discrimination suit, the lead plaintiff in the case was back on the job here Wednesday nattily dressed, quick with a smile and talking about how much she likes the company she's suing.

All Betty Dukes wanted, the 10-year veteran of the company said, was "the opportunity to advance myself with Wal-Mart."

On Tuesday, U.S. District Judge Martin J. Jenkins in San Francisco ruled that the suit originally filed by Dukes and five other women could be expanded to virtually every woman who has worked at the world's largest company since late 1998. The suit alleges that Wal-Mart pays women less than men for performing the same job, passes over women to promote less-qualified men and retaliates against women who complain.

The judge's ruling set the stage for what could be the giant retailer's greatest test ever. The sheer number of plaintiffs means that a loss or even a settlement could cost the company billions of dollars.

As Dukes was receiving minor-celebrity treatment from customers and co-workers—"Did you see my story in the paper today?" she asked customers, holding up a copy of a local newspaper—officials from the Arkansas retail colossus emphasized that Tuesday's ruling did not address the merits of the case and said it would do nothing to influence the company's plans to expand in California and elsewhere.

"It really doesn't change anything," said Robert McAdam, the firm's vice president for state and local government relations. "Nothing is different as it relates to our development plans or our prospects for growth in the state."

The company has weathered a series of high-profile tests, most recently in Inglewood, where Wal-Mart went so far as to ask voters to allow a Supercenter in their community only to be rejected. At the same time, other communities in the state have actively courted the retailer.

As Dukes smiled and welcomed customers to the store in this town of 48,000 about 40 miles northeast of San Francisco, many of the mixed emotions that Wal-Mart tends to evoke were in evidence around her.

Lozell Belarde, 39, seemed to embody the dichotomy of some customers.

"I really don't even like the store," said the property manager after a short shopping

spree. "I don't like the company. They don't treat their employees right. They don't even treat the customer right."

"But," she added, "the price is reasonable."

Holly Hamilton pushed her shopping cart through the parking lot looking not unlike an ad for Wal-Mart. In her cart was almost everything the 27-year-old nurse would need for an upcoming camping trip: a fishing pole, beach towels, food and bottled water, all gathered at a single store for hard-to-beat prices.

Like many customers outside the Pittsburgh store Wednesday, Hamilton did not know about Tuesday's ruling, but when told, she expressed some concern and said she might consider shopping elsewhere if a court determined the company discriminated against women.

During an afternoon break, Dukes, dressed in a black and tan outfit with a billowing red scarf, turned an upside down shopping cart into an impromptu chair.

"Wish you the best of luck, sweetie," a male customer called to Dukes in the store parking lot.

Dukes was hired at Wal-Mart a decade ago, with grand plans for a quick move up the ladder into management. Instead, she says, she was passed over for promotions repeatedly, as men with less experience landed the job.

But she makes \$12.53 an hour—an increase of more than 25% in the three years since the lawsuit was filed, thanks to generous raises. A volunteer minister, Dukes likes most of her co-workers and bosses, who "respect my right to pursue this matter." She likes most of the customers, most parts of the job. She works at Wal-Mart and shops at Wal-Mart, and loves the prices.

"All we're asking for is our day in court, and to let the evidence speak for itself."

The ruling, in which Jenkins said the "evidence raises an inference that Wal-Mart engages in discriminatory practices in compensation and promotion that affect all plaintiffs in a common manner," however, is by no means the company's first considerable trial. And even as the number of Wal-Mart critics appears to be growing, so does the number of its defenders—and so does the company's reach.

One of the company's previous blows came in April, when Inglewood voters soundly defeated a sweeping initiative that would have allowed the company to build a Supercenter the size of 17 football fields without going through the traditional layers of city bureaucracy.

The company spent more than \$1 million in its failed effort to pass the initiative, buying television commercials and handing out doughnuts, all for an election that drew just 12,000 voters. Opponents spent a fraction of that amount and won the contest, about 7,000 casting ballots against the proposal and 4,500 in favor.

The contest's David vs. Goliath overtones rippled across the country. On paper, however, the defeat cost the company but a single Supercenter.

And the company, which opened its first Supercenter in the state this spring in La Quinta, southeast of Palm Springs, has plans for 40 more across California, including stores in Stockton and Hemet expected to open this year.

The Supercenters are the company's most controversial because of their size, averaging 200,000 square feet, and the fact that they stock groceries.

Wal-Mart pays its employees, male and female, less than many other similar retail outlets as well as grocery stores. The so-called Wal-Mart effect—the company's ability to undercut competitors with its lower

wages and prices—helped trigger the longest grocery store strike in Southern California last year as some grocers sought wage and benefit concessions they said were needed to compete with the Supercenters.

Although the company lost its Inglewood battle, and as many California cities, including Los Angeles, have passed ordinances that effectively ban such massive "box stores," the company has found open arms in many other parts of the state. Some describe the Inglewood opposition, the lawsuit and other attacks on the company as knee-jerk bashing of a successful corporation.

In Gilroy, where the City Council voted 5 to 2 in March to approve a Supercenter, Wal-Mart proponents wrote off the news of the lawsuit ruling as legal hullabaloo.

"Certification of a class-action suit is easy to do," said Bill Lindsteadt, executive director of the Gilroy Economic Development Corp., which embraces the new center. "It's frivolous. It's another ploy by the unions to force Wal-Mart to become union."

While heated fights over proposed Supercenters are playing out across the state, some observers say the company is facing increasing difficulties as it moves from rural and suburban markets into urban areas—and that Tuesday's ruling may increase opposition.

As Wal-Mart moves "from the suburban fringe and really starts to look more in urban areas . . . they're encountering a different level of concern and opposition than they were when they were building out amid the strip malls," said Amaha Kassa, co-director of the East Bay Alliance for a Sustainable Economy. "These kinds of issues of pay equity and disparate treatment are very much going to be issues of concern for urban voters."

RECOGNIZING SANDCASTLE DAYS IN IMPERIAL BEACH, CALIFORNIA

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mrs. DAVIS of California. Mr. Speaker, I rise today to honor a country of patriots. A nation entering a hot summer, full of turmoil and uncertainty.

The coming three months will be marked by many significant world events; the transfer of sovereignty in Iraq, the Olympic games in Greece, an escalating November election at home.

The world will spin a little faster this summer and to compensate we must all pull together as a nation.

It is time for us to reconnect, to remind ourselves what it is that makes us uniquely American.

We are all neighbors, and that which divides us will never outshine that which unites us.

We are all neighbors, and for that reason I share with the community what is happening in my yard this summer.

In one month time the 28,000 residents of Imperial Beach, California will be holding their city's 48th birthday commemoration.

Proudly anchored as the country's most southwesterly city, this diverse seaside town is preparing to celebrate the same way it has for the past quarter-century. Come early July, the city of Imperial Beach will be holding its 24th annual U.S. Open Sandcastle Competition.

For three days, creativity and civic pride will be honored. In addition to the sand-sculpting

contest, festivities will include a community ball, street parade, and nighttime fireworks display over the Pacific.

The weekend long celebration will draw over 250,000 spectators. People will swarm the sand to see creations that will not last the next tide. In the spirit of ingenuity, modern marvels of dirt will be erected and destroyed in an afternoon's time.

For three days the sun will shine and the children will smile. The world will slow in this corner of the country and we will celebrate the anniversary of a city, the essence of a nation.

We are a "can do" people, but that does not mean we should have to do it alone.

My district is only 1 of 435, and so I ask my fellow Representatives in the House, what is your District doing this summer? Let us share in this most public of forums, that which unites us as a country.

We are each other's neighbors and we should not let an opportunity to come together pass us by. The world will seem a smaller and safer place if we know what is happening in our own backyards.

So as summer quickly comes to our countryside, let us give voice to our originality, and champion all that makes our society truly extraordinary.

40TH ANNIVERSARY OF THE DEDICATION OF THE TARAS SHEVCHENKO MONUMENT

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. LEVIN. Mr. Speaker, on June 26, 2004, the Ukrainian American community will be celebrating the 40th jubilee commemoration of the unveiling of the monument to Taras Shevchenko, known as the bard of Ukraine for his exquisite lyric poetry and numerous novels, as well as his many works of art.

Taras Shevchenko was born in the Kyiv region in 1814 to a childhood of servitude and a life of hardship. He first worked as a houseboy until his owner realized his artistic talent, after which he was apprenticed to a painter. His freedom was purchased in 1838 by another painter who appreciated Mr. Shevchenko's work.

An ardent champion of freedom and Ukrainian independence, Taras Shevchenko saw George Washington as a symbol and liberator of the American people from the colonial rule of a foreign power. Mr. Shevchenko's works played a key role in the awakening and drive for national liberation of the Ukrainian people. In his poems, he attacked tyrants, oppressors and all enemies of human freedom and decency.

Mr. Shevchenko's love of freedom and criticism of the czars resulted in his arrest in 1847. He was first sentenced to forced military duty, and later imprisonment, where he remained in Russian custody until his release in 1857, two years after the death of Czar Nicholas. He was arrested again in 1859 and remained under police surveillance until his death in 1861.

Years of harsh punishment did nothing to curtail his fight against the imperialist and colonial occupation of his native land. Mr. Shevchenko secretly produced numerous

works of poetry and art throughout his term of imprisonment which inspired the Ukrainian people.

Mr. Speaker, it is fitting that a statue honoring a man who fully embraced the ideals of personal freedom and human dignity, cornerstones of our country, should stand in the United States. I congratulate the Ukrainian American community on celebrating the 40th anniversary of the dedication of the Taras Shevchenko monument.

PROMOTING RESPONSIBLE INTERROGATION STANDARDS ENFORCEMENT ACT OF 2004

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. CONYERS. Mr. Speaker, today I am introducing the "Promoting Responsible Interrogation Standards Enforcement Act of 2004" or "PRISE Act," legislation that reaffirms the United States' longstanding commitment to refrain from engaging in torture or cruel, inhuman or degrading treatment or punishment. I am joined by Representatives LOFGREN, MEEHAN, WATERS and SANCHEZ.

This nation's foreign and military policies have been substantially undermined as a result of the Iraqi prisoner and detainee abuse scandals. The PRISE Act is designed to prevent similar abuses from occurring. In doing so, the legislation takes several important steps.

First, it codifies the United States' legal and international treaty obligations with respect to the prohibition on the use of torture or cruel, inhuman or degrading treatment or punishment. Second, the bill directs the Secretary of Defense to issue guidelines to ensure compliance with this obligation. Third, in the unfortunate event that a member of the Armed Forces or Department of Defense contractor violates this prohibition, the bill requires the Defense Secretary to submit to Congress, in a manner that protects national security, a report highlighting the details of such violations. Finally, it closes a loophole created by the PATRIOT Act that may allow torture at U.S. military facilities overseas.

As we continue to define our values as a country, we must make it abundantly clear that we will not compromise our principles. The use of torture is not only wrong, but it is an ineffective interrogation tactic because it produces unreliable information. People who are being tortured will often lie to their interrogator in order to stop the pain.

I am hopeful that Congress can move quickly to enact this worthwhile and timely legislation.

CORRECTING ENROLLMENT OF S. 2238, THE BUNNING-BEREUTER-BLUMENAUER FLOOD INSURANCE REFORM ACT OF 2004

SPEECH OF

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 2004

Mr. OXLEY. Mr. Speaker, I rise today in support of S. 2238, the Bunning-Bereuter-

Blumenauer Flood Insurance Reform Act of 2004. This important piece of legislation not only reauthorizes the National Flood Insurance Program through September 30, 2008, but also makes much-needed reforms that will help the Federal Emergency Management Agency (FEMA) stem wasteful use of taxpayer funds on properties that flood over and over again.

By now most Members are well aware of the long road we have traveled in developing this legislation. After years' worth of discussions with floodplain managers, taxpayer groups, environmental groups, insurance professionals and the housing industry, the House Financial Services Committee passed H.R. 253 by a unanimous, bipartisan vote on July 23, 2003. The bill was subsequently passed in the House by an overwhelming margin on November 20, 2003. The National Flood Insurance Program is now set to expire on June 30, 2004; it is critical that we act on this bill today.

Thanks to the hard work of my colleagues, there should be no doubt that this legislation will receive a favorable vote once again. The Senate bill is, in most respects, identical to the one we passed here in the House. That bill, H.R. 253, authorized funds to address severe repetitive loss properties for both the existing Flood Mitigation Assistance (FMA) program and authorized a new pilot program to address these properties. Under the House bill, this trial pilot program addressed the properties in a simple, straightforward manner: the owner of a severe repetitive loss property would be charged a rate closer to the actuarial, risk-based rates for their national flood insurance policy if certain conditions were met. Safeguards were built into the system to ensure that homeowners would be protected. Through our bill, the number of repetitive flood loss properties would be decreased because FEMA would have the money and the means to take care of them.

S. 2238 adds a title creating certain policyholder protections designed to ensure swift action for the payment of claims in the event of a flood. In addition, the Director of the Federal Emergency Management Agency (FEMA) will be tasked with promulgating regulations outlining an appeals process for policyholders with respect to claims, proofs of loss, and loss estimates related to flood insurance policies. And at the request of FEMA, the Senate has made minor changes regarding implementation of the flood mitigation programs originally set forth in the House bill.

On a personal note, perhaps the most appropriate change made by the Senate was in naming this legislation for Congressman DOUG BEREUTER, my good friend who is retiring from the House this year. This legislation is a testament to his hard work and to the dedication he has shown throughout his career to further the interests of not only his constituents but also the Nation as a whole and to the ideal of good government. Congressman BEREUTER worked tirelessly to craft this bill with Senators BUNNING and SARBANES as well as Ranking Member FRANK and Representatives BLUMENAUER and BAKER. Mr. BAKER was also particularly helpful in crafting this legislation and in providing a voice for his constituents in Louisiana and other states particularly hard-hit by repetitive flood losses.

It is important to note once again that the National Flood Insurance Program has been

long overdue for change. The Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 addresses the problem of repetitive loss properties (buildings that flood regularly because of their location) and the threat such properties pose to the ability of the NFIP to meet obligations to policyholders without drawing on taxpayer funds. Repetitive loss properties are a problem in nearly every one of the fifty States and cost the NFIP approximately \$200 million each year, which is an unacceptable expense. One percent of all properties in the NFIP account for approximately 25 percent to 30 percent of all the NFIP losses. Repetitive loss properties have for too long exhausted the NFIP's funds and subverted the original intent of the program.

Despite the problems caused by repetitive flood loss properties, the NFIP is a program that provides important protections for homeowners who live on the Nation's floodplains. Though most of these homes have never flooded, the NFIP is a vital safeguard with a proven record of success. These much-needed reforms will enhance the program's effectiveness by requiring people living in flood prone areas to reduce their risk of flooding in a way that is not punitive and which saves the program and taxpayers money. This legislation should enjoy widespread bipartisan support in the Congress and will be welcomed by the people who work every day to control floods all across the country.

TRIBUTE TO DR. C. VINCENT BAKEMAN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize the life and legacy Dr. C. Vincent Bakeman, a co-founder of the Human Resources Development Institute, Inc. (HRDI), who devoted himself to improving our alcohol and chemical dependency treatment systems.

We are all aware of the national problem that is especially acute in inner-city areas across this great Nation. The shortage of healthcare professionals has left many underserved communities without access to healthcare, placing low- and middle-income families at even greater risk of suffering from medical conditions and disorders that could be averted.

True to its mission, HRDI has charted innovative healthcare solutions that continue to stabilize and strengthen families, neighborhoods and entire communities from Chicago to Las Vegas to Indianola, Mississippi, and points in between.

Additionally, through his efforts to empower those without healthcare, he formed partnerships with area institutions of higher learning to assist residents in acquiring the necessary skills and training central to competing in this new age of information and technology.

Many of our colleagues here in Congress have espoused the notion of expanding healthcare coverage. Dr. Bakeman lived it.

It is through community efforts as demonstrated by Dr. Bakeman and HRDI that we may be able to achieve a reality of accessible and affordable healthcare for all.

During his thirty-plus years of service, Dr. Bakeman touched the lives of many, proving that even the simplest ideas can make a big difference.

I take great pride in commending the work of Dr. C. Vincent Bakeman and HRDI on a job well done for more than 30 years.

IN HONOR AND REMEMBRANCE OF
JOHN J. BRENNAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mr. John J. Brennan—Devoted father, grandfather, brother, and dear friend and mentor to countless individuals—family, friends and colleagues, whose lives have been forever enriched for having known and loved him well. My brother, Gary Kucinich and I, are better people for having called John J. Brennan friend, and we share in the deep sadness with his family and friends in knowing that he left us far too soon.

Mr. Brennan's 25-year career as an investigator with the Cuyahoga County Department of Human Services Investigative Fraud Unit, reflected honesty, ethics, and the ability to see through the complex maze of layered cases and get right to the heart of the matter. While growing up in Cleveland, Mr. Brennan's parents, the late Judge Hugh Brennan and Dorothy Brennan, instilled within him a strong work ethic, dedication and perseverance, and above all, they showed him the power of a giving and caring heart. A graduate of Holy Name High School and John Carroll University, Mr. Brennan's good natured and jovial spirit belied his strong intellect. He was quick to offer his assistance to anyone in need, and his quick wit and kind words consistently uplifted the spirits of others.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Mr. John J. Brennan, loving father of Colleen, Michael and Ann; devoted grandfather of Anthony and Romello; loving friend of Kathy Meyers; devoted brother of Thomas and Timothy, and dear friend to many. Mr. Brennan will be deeply missed, yet today we celebrate his life, a life lived joyously. John J. Brennan embraced love and embraced life—and the love he gave to others will forever live on within the hearts and memories of all of us who knew and loved him well.

May the road rise to meet you
May the wind be always at your back
May the sun shine warm upon your face
May the rain fall soft upon your fields
And until we meet again
May God hold you in the palm of His hand
—Irish Proverb

INTRODUCING THE JOBS FOR
AMERICA ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. GEORGE MILLER of California. Mr. Speaker, today I am joining with 25 of my colleagues to introduce the Jobs for America

Act—legislation that will help protect American workers who face job outsourcing.

Every day, more Americans watch their jobs get shipped overseas. Jobs are disappearing from every sector of the economy—from high tech call centers to health care workers—leaving hundreds of thousands of families and their communities in the lurch.

According to some estimates, 40 percent of Fortune 1000 companies are currently using some form of overseas outsourcing, and as many as 3.3 million jobs may be offshored in the next 15 years. The latest study from Forrester Research finds that offshoring of white-collar jobs is accelerating, with the number of U.S. business service and software jobs moving overseas reaching 588,000 in 2005, up from 315,000 in 2003. By 2005, the total loss of software programming, customer call-center, and legal paperwork positions will hit 830,000 jobs—an increase of 40 percent from this year.

The Jobs for America Act amends the Worker Adjustment and Retraining Notification (WARN) Act to require companies to disclose and report whenever they lay off workers to send jobs overseas. It would require that when a company plans to lay off 15 or more workers and send those jobs overseas, it must:

Inform affected workers, the Department of Labor, State agencies responsible for helping laid off employees, and local government officials;

Disclose how many jobs are affected, where the jobs are going, and why they are being offshored; and

Provide employees at least 3 months advance notice.

Also, the Jobs for America Act strengthens the WARN Act by:

Requiring the Department of Labor to compile statistics of offshored jobs and report them on an annual basis to the Congress and the public;

Clarifying that WARN Act protections, including the 3 months advance notice, apply to all cases where 50 or more workers are laid off, regardless of the reason for the layoff; and

Ensuring effective remedies for workers who are injured by a company's violation of the WARN Act.

While companies export jobs overseas for cheap labor, American workers deserve—at an absolute minimum—the earliest warning of a job loss. In today's economy, with massive longterm unemployment, workers need as much time as possible to begin looking for a new job or begin retraining for a new career. This bill will expand the amount of time available to workers to adjust to the loss of a job. It will also increase penalties on employers who choose to ignore these simple requirements, providing real make-whole remedies for workers who are injured by WARN violations, including consequential damages.

Moreover, for the first time, the Secretary of Labor will be collecting and reporting large-scale data on offshore outsourcing. Such data collection will help us to better understand the scope and dynamics of this phenomenon and its threat to our standard of living, enabling us to craft more comprehensive solutions to the problem.

While this bill will not by itself solve the outsourcing problem, it does provide critical tools—such as time and information—which will benefit both workers and Congress in their

efforts to stem the hemorrhaging of jobs from this country.

IN RECOGNITION OF THE UNITED
NATIONS INTERNATIONAL DAY
IN SUPPORT OF VICTIMS OF
TORTURE

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mrs. DAVIS of California. Mr. Speaker, I rise today in recognition of the United Nations International Day in Support of Victims of Torture, and in support of a program in my district that provides critical healing services to San Diegans who have fled torture and persecution in countries all over the world.

The greater San Diego area is home to an estimated 11,000 survivors of politically motivated torture. They have come from more than 40 countries and endured unimaginable human rights abuses. They are not strangers or anonymous victims who we will never meet. They are our neighbors, our colleagues, the families with which we attend religious services, and the children that attend schools with our children. Torture survivors in San Diego are strong, resilient, resourceful people who bring diversity to our city and have many talents and experiences to offer our community.

Torture robs strong, healthy, productive people of their vitality, identity, and dignity, often in the prime of their lives. Political torture does not just randomly occur as an act of isolated terror; it is a tool of oppression, a system of violence that targets people because of their race, ethnicity, religion, social group, gender or political affiliation. People are tortured because of who they are, what they believe and what they represent.

Torture survivors in San Diego have been tortured because as journalists they wrote the unwelcome truth, as attorneys they fought for the legal rights of unpopular minorities, as community leaders they spoke up, organized unions, or staffed clinics. Some requested the right to representation by their government, or the right to be autonomous when the government failed to represent them. Others sought healthcare, believed in religions not "sanctioned" by the government, and rejected the conscription of children into militias.

In San Diego, and in all places where they seek safety and solace, torture survivors bear out the consequences of the abuse they have endured. Anxiety, depression, Post-traumatic Stress Disorder, chronic pain, head injuries, dental trauma, and nerve damage are all consequences of torture. Though many torture survivors choose not to reveal the details of what they have endured, they never forget, and without appropriate care, most will not improve. They re-live their suffering in nightmares, flashbacks and intrusive memories. Chronic physical pain, muscle weakness and an inability to trust, confide or relax are too often daily reminders of the injuries they endured.

The consequences of torture are also a significant public health concern. Not only do they impair the health of the person who was victimized, but they create anxiety, fear and depression among whole families and communities. The transgenerational effects of trauma

are well researched and well documented. The effects of torture will cascade down through the generations and negatively affect the mental health of the children and even grandchildren of those who endure torture. The effects of torture will ripple through our cities weakening the ties that bind us together, and bolstering the barriers that keep us apart. The consequences of torture represent a public health problem which only grow without care, and prevent hardworking, talented people from being able to fully-integrated, productive, participating members of our communities.

I invite all of my colleagues and all Americans to recommit themselves today, on the International Day in Support of Victims of Torture, and everyday to the eradication of the use of torture throughout the world wherever it may be used. The consequences of torture for individuals, families and communities are far too heinous to not be condemned and spoken against.

Today, I am happy to be able to commend the important work and the successes of Survivors of Torture, International. This non-profit organization, made up of concerned San Diegans has provided direct medical, mental health, legal and social services to more than 500 torture survivors in the greater San Diego area. Furthermore, this organization has worked to train hundreds of doctors, nurses, attorneys, teachers, clergy, and mental health professionals to work with torture survivors as well. They have committed themselves to building a San Diego where torture survivors do not suffer in silence, but have access to the assistance the need to become healthy, productive and self-sufficient Americans.

HONORING THE LIFE OF MILDRED "MILLIE" JEFFREY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. LEVIN. Mr. Speaker, I rise today to honor the life and legacy of Mildred "Millie" Jeffrey, a pioneer who was at the forefront of our country's most powerful social and political movements. Millie passed away in March, and on Saturday she will be honored at her beloved Wayne State University in Detroit.

Millie once said, "the secret to change, that is change for the better, starts with involvement." No one lived that mantra more than Millie. She was a powerful voice for our Nation's workers, fighting for their right to organize and to ensure fair treatment in the workplace. Millie marched in the South with Dr. King, and trained other civil rights activists as they worked to break down racial barriers. As a leading feminist, Millie worked tirelessly to open the doors for equality of future women leaders. She was the guiding force in the effort to nominate Geraldine Ferraro as Walter Mondale's running mate in 1984. Four years ago, President Clinton awarded Millie the Medal of Freedom, our Nation's highest civilian honor.

The Reuther family brought Millie to Michigan, and it is the place she called home for over 5 decades. Many people don't know this, but Millie was, in fact, an elected official in our State, serving 16 years on the Wayne State

Board of Governors. She loved living on campus, showing visitors "her neighborhood" and interacting with the students. She took great pride in watching the election of the first woman Senator from Michigan, DEBBIE STABENOW, and the first woman Governor, Jennifer Granholm. Many of today's leaders count Mildred "Millie" Jeffrey as their mentor and friend. I was personally enriched by her example, her endless energy, and her friendship.

Mr. Speaker, I ask my colleagues to join me in remembering Millie and her contributions to Michigan and our Nation.

HONORING THE 40TH ANNIVERSARY OF PASSAGE OF THE CIVIL RIGHTS ACT OF 1964

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Mr. CONYERS. Mr. Speaker, I rise to recognize and commemorate the 40th anniversary of the Civil Rights Act of 1964. I commend my colleague, Congresswoman ELEANOR HOLMES NORTON, for authoring H. Res. 676 and ensuring that this Congress appropriately marks the passage of the most comprehensive civil rights legislation in our Nation's history.

This year our Nation has honored and celebrated several extraordinary accomplishments that were born of the Civil Rights Movement. Last month we observed the 50th anniversary of the May 19, 1954, *Brown v. Board of Education* decision. That landmark decision not only struck down the doctrine of "separate, but equal" and desegregated public schools. It ultimately led to the passage of key federal legislation that desegregated every segment of our society—the Civil Rights Act of 1964.

THE CIVIL RIGHTS ACT OF 1964

In every real sense, the 1964 Act was a response to the Civil Rights Movement sweeping the country. This Act could not have been achieved without the tireless effort of the great, civil rights leader, Dr. Martin Luther King, Jr. It was Dr. King that motivated hundreds of thousands of activists—of all colors—to demand that this Nation realize equality for all. It was because of his leadership that the Civil Rights Act of 1964 was conceptualized and implemented.

The Act, which was signed into law on July 2, 1964 by President Lyndon B. Johnson, established safeguards and legal remedies to combat both the de jure and de facto discrimination that plagued minorities in almost every aspect of their lives.

First, and foremost, the Act moved to ensure an equal right to vote. The unequal application of voter registration requirements that effectively disenfranchised millions of African-Americans—poll taxes, literacy tests, grandfather clauses—was deemed unlawful in Title I of the Act. This provision made state and local governments accountable to their citizens and opened the path for equal political participation.

Titles II and III of the Act created a federal remedy to fight discrimination in public accommodations. Through these provisions, the Attorney General had the appropriate means to obtain injunctive relief and bring suit in in-

stances where equal access to a public facility had been denied. The lunch counter sit-ins and marches now had real effect in that the federal government could intervene to ensure equal treatment in society, regardless of race or other factors.

The language of "all deliberate speed" in the *Brown* decision was given meaning, as the federal government now had the tools in Title IV of the Act to end segregation in public schools. The Civil Rights Act of 1964 would serve as strong legislative policy against discrimination in public schools and colleges because it stood on the shoulders of the profound *Brown* decision, in which Chief Justice Warren, writing for a unanimous court, declared that "in the field of education, the doctrine of 'separate, but equal' has no place."

More broadly, under Title V of the Civil Rights Act of 1964, the Commission on Civil Rights, established in 1957, was provided with additional guidance in its charge to study, investigate, and report on civil rights policy.

Title VI of the Act protects persons from discrimination based on their race, color, or national origin in programs and activities that receive federal financial assistance. This provision has been broadly used to ensure that entities receiving federal funds cannot deny service, provide different services, or segregate or separately treat individuals.

The Title VII provision of the Act would grow to become one of its most important and extensively utilized provisions. Going beyond its impact in the racial and ethnic minority community, Title VII acknowledged that sex discrimination in the workplace was a major problem and would be widely used to ensure protections for women in the workplace.

The Equal Employment Opportunity Commission (EEOC), which was also created in the 1964 Act to serve as the premier vanguard of workplace discrimination, had its authority enhanced with amendments in 1972 and 1991.

In 1972, the EEOC was given the right to sue non-government respondents and the federal government, state and local governments, as well as educational institutions, were made subject to Title VII. The 1991 amendments allowed plaintiffs to recover fees and costs in suits in which they prevailed, as well as entitled plaintiffs to recover compensatory and punitive damages in intentional employment discrimination suits.

INJUSTICES REMAIN IN 2004

Without doubt, substantial progress toward equality has been made as a result of the passage of the 1964 Act, but there remains substantial work. I can recount a list of sobering statistics in the realm of employment, education, healthcare, and the political process:

In terms of employment, the average white woman earns only 73 cents for every dollar earned by the average white man. The average African American woman earns just 63 cents to every dollar earned by the average white man.

With regard to education, today, sadly, most schools have become resegregated. In the 2001–2002 school year, the Civil Rights Project found that the average African American attended a school where minorities formed almost 70 percent of the student body. The average Latino school child attended a school that was 71 percent minority. By contrast, the average white student attended a school where whites composed 79 percent of the student body.

In the realm of healthcare, the disparities are startling. Minority Americans are at least twice as likely as white Americans to be uninsured. More than 30 percent of Latinos and 20 percent of African Americans do not have health insurance.

Minorities remain disenfranchised from the political process. The precious right to vote was repeatedly violated in the much contested Presidential election of 2000. In the state of Florida and at polling booths across the country, a disproportionate number of people of color were excluded from the political process.

In addition to the modern day disparities that serve to undermine the Act, several Supreme Court decisions have whittled away at some of its key protections. In *Alexander v. Sandoval*, 532 U.S. 275 (2001), the Supreme Court held that there is no private right of action to enforce Title VI regulations forbidding practices that have an unjustified discriminatory effect on the basis of race, national origin, or color. Also, a dangerous precedent may have been set in *Barnes v. Gorman*, 536 U.S. 181 (2002), a case in which the Supreme Court held that punitive damages are unavailable for intentional violations of laws protecting those with disabilities. We must ensure that such punitive damages that are awarded for intentional discrimination under Title VI and Title VII are protected. We must also ensure that the true intent of the Act is adhered to.

THE FUTURE OF THE 1964 ACT

Congresswoman NORTON's resolution encourages all Americans to recognize and celebrate the important historical milestone of the passage of the Civil Rights Act of 1964. However, rather than engaging in mere self congratulation, we should recommit ourselves to continuing and building on the progress created by the 1964 Act. We must pledge to acknowledge and address the modern day disparities that prevent the country from fully realizing the potential embodied in the Civil Rights Act. I look forward to working with every Member of Congress in doing just that in the months and years ahead.

HELPING HANDS FOR HOMEOWNERSHIP ACT OF 2004

SPEECH OF

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 2004

Mr. OXLEY. Mr. Speaker, I rise today to express my support for H.R. 4363, the Helping Hands for Homeownership Act of 2004. This bill will be considered under the suspension of the rules. This legislation passed the House Financial Services Committee, by a unanimous bipartisan voice vote on June 3, 2004.

This legislation was introduced by the distinguished gentleman from Wisconsin (Mr. GREEN). This bill will simply make a technical correction to the "Housing Opportunity Program Extension Act of 1996" to permit families who receive homes from groups such as Habitat for Humanity (Habitat) to fulfill the "sweat equity" requirement for receiving Self-Help Homeownership Opportunity Program (SHOP) funds by helping to build other Habitat homes in the community, in addition to their own.

In 1996, Congress created the SHOP, which provides competitive grants for groups such as

Habitat to help with land and infrastructure expenses. In order to receive SHOP funds, the recipients of a home from groups such as Habitat must contribute a certain amount of physical labor to the home-building process, also known as "sweat equity." In FY 2004, the Department of Housing and Urban Development (HUD) for the first time interpreted the law to preclude the families who receive these homes from fulfilling their "sweat equity" requirements by working on program homes other than their own.

This new interpretation could cause problems for Habitat affiliates all over the country. Habitat allows its home recipients to obtain its "sweat equity" requirement by working on Habitat homes for others in the community, as well as their own home. H.R. 4363 makes the needed technical change to make sure that Habitat and similar programs can continue to promote homeownership.

Furthermore, H.R. 4363 also contains a provision which names the U.S. Department of Agriculture (USDA) Section 502 single-family loan guarantee program after my friend and colleague, the distinguished gentleman from Nebraska (Mr. BEREUTER). This program, like Habitat, promotes the goal of homeownership among those who might otherwise find it out of reach. Those are precisely the people that Mr. BEREUTER has spent his career serving, and this provision represents a small thank-you for those efforts.

As many of you know, the distinguished gentleman from Nebraska (Mr. BEREUTER) is leaving the House at the end of August to become the President of the Asia Foundation. He was elected to the House in 1978 to represent the constituents of the First District of Nebraska. Mr. BEREUTER has served on the House Financial Services Committee and its predecessor, the House Banking Committee, since 1981. During his service on these committees, he has authored a number of significant bipartisan bills which were enacted into law.

One of his most successful legislative accomplishments is the USDA Section 502 single-family loan guarantee program. This initiative was enacted into law as part of the Cranston-Gonzalez National Affordable Housing Act in 1990 and authorizes the Department of Agriculture to guarantee a single-family loan made by a commercial lender to moderate-income families in small towns and rural areas where conventional mortgage financing may not always be available.

Since the program's creation in 1991, 316,625 single-family loans have been guaranteed by the USDA. The State of Ohio has been a major beneficiary with 629 single-family loans valued at over \$58 million having been guaranteed in Ohio under this program so far this year. This program, like Mr. BEREUTER's legislative career, has been a huge success.

In conclusion, I want to urge your support for H.R. 4363. This bipartisan bill contains important provisions to promote homeownership.

HONORING THE LIFE OF MATTHEW STEPANEK

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. HOYER. Mr. Speaker, this June 22nd, a courageous young man was taken from our midst. Thirteen-year-old Matthew Stepanek was full of life, happiness, and brilliance.

Mattie, as he liked to be called, had a lifelong struggle with muscular dystrophy, but never let the disease curb his enthusiasm, nor hinder his creativity. In 2001, Mattie courageously stated, "My life mission is to spread peace to the world." Despite losing his battle with muscular dystrophy at such a young age, Mattie managed to spread happiness to the world through his poems.

Mattie began writing poetry at age three to cope with the death of a brother. In his short life, this tireless young man wrote five volumes of poetry that sold millions of copies. Three of the volumes reached the New York Times' best-seller list.

Mattie is survived by his loving mother Jeni, who first recognized Mattie's talent and wrote down his poems for him. Unfortunately, Jeni also suffers from the adult-onset form of the disease. The disease also took the lives of his two brothers and sister.

Mr. Speaker, today, I ask this House to celebrate and remember the life of Mattie Stepanek. He was a brave young man whose genius impacted everyone who encountered him. His selflessness, courage, and talent are something we can all honor and admire.

HONORING CALIFORNIA ASSEMBLYMAN MERVYN DYMALLY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Ms. LEE. Mr. Speaker, I rise today to honor the historic achievements of California Assemblyman Mervyn Dymally, on the occasion of the thirty-year anniversary of his election as the first African American Lieutenant Governor in California and the United States.

Assemblyman Dymally's distinguished political career began in 1962 when he was elected to the California State Assembly. After serving for four years, in 1966 he became the first African American to be elected to the California State Senate. Following his service as a State Legislator, Dymally again made history by becoming the first elected African American Lieutenant Governor in 1974.

In 1980 Dymally ran for Congress representing South Los Angeles County, and became the first foreign-born black to serve in the United States Congress. While serving in the 97th through 101st Congresses, he was Chair of the Congressional Black Caucus and of the Subcommittee on Africa within the Committee of Foreign Affairs. After retiring from Congress in 1992, he has served in numerous academic positions and remained an active participant in international affairs. In 2002 Assemblyman Dymally returned to the California State legislature, where he currently represents the fifty-second district.

On June 24th, the Oakland Black Caucus honored the anniversary of Assemblyman Dymally's historic election to the California Lieutenant Governorship. I would like to mark this occasion by commending the exceptional political achievements of Assemblyman Dymally, and by recognizing the broader social and historic implications of his extraordinary career.

By remaining committed to public service and education throughout his life, Assemblyman Dymally has contributed enormously not only to the State of California, but also to the global community. I want to express my deep appreciation and respect for Assemblyman Dymally and his relentless pursuit of equality and social justice for African Americans and all people.

IN HONOR OF U.S. MARINE CORPS
LANCE CORPORAL RUSSELL
WHITE

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. CASTLE. Mr. Speaker, I rise today in honor of a brave young Marine who was accidentally killed while performing guard duty at Camp Bulldog, Bagram Air Base on Sunday, June 20, 2004. United States Marine Corps Lance Corporal Russell White was assigned to the 3rd Battalion, 6th Marine Regiment, based in Camp Lejeune, North Carolina and was part of a brave unit sent to Afghanistan to track down Osama bin Laden.

Lance Corporal White was a Sussex County native, attended Indian River High School in Frankford, Delaware, where he played football, and enjoyed hunting, skiing and the outdoors. He hoped one day to run his father's home building business and make Sussex County his permanent home. His family and friends describe him as loyal, determined, ambitious and fiercely passionate about defending the security of our nation. When terrorists struck our great nation on that fateful day in 2001, Russell White was only in high school, yet felt determined to help. He eventually joined the Marine Corps where the values he held true were exemplified in his brave service in Operation Enduring Freedom.

Lance Corporal White chose the daily rigors of military service because he valued the well-being of others. And he felt that by working to track down the terrorists who were responsible for killing so many Americans, he would be able to contribute to our nation. That is an extremely brave attitude for a young man of only 19 years of age. His friend Matthew Mitchell remarked, "He was proud of himself and we were proud of him. He's braver than any of us." What a true statement that is. Lance Corporal White will be missed tremendously by his family and friends, who will remember a courageous, young man who willingly took on the role of a U.S. soldier during a time of war.

Mr. Speaker, it is my sincere privilege to honor the life of a proud Marine and heroic representative of the State of Delaware. Lance Corporal White deserves our gratitude and respect.

PERSONAL EXPLANATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. PUTNAM. Mr. Speaker, as a result of my participation in CODEL Hoekstra to Iraq, I regret that I was not able to vote on the following bills on June 21, 2004 in the House of Representatives, due to official business. If I had been present to vote, I would have voted in the following manner:

H. Res. 591.—Expressing the gratitude of the House of Representatives for the contributions made by America's community banks to the Nation's economic well-being and prosperity and the sense of the House of Representatives that a month should be designated as "Community Banking Month"—yes.

H.R. 4363.—Helping Hands for Homeownership Act of 2004 (Technical correction to the Housing Opportunity Extension Act relating to the Habitat for Humanity Program)—yes.

H. Res. 660.—Congratulating Randy Johnson of the Arizona Diamondbacks on pitching a perfect game on May 18, 2004—yes.

A TRIBUTE TO CHRISTINA
SUNDSTROM ON THE OCCASION
OF HER RETIREMENT

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. DOOLEY of California. Mr. Speaker, I rise today to congratulate Christina Sundstrom at the conclusion of a remarkable career in public service in California's San Joaquin Valley. After many years dedicated to improving the Valley's rural communities, Ms. Sundstrom is retiring from her position as Director of Empowerment Programs for the USDA Rural Development office in Visalia, California, the capstone of a distinguished career.

Ms. Sundstrom began her career in public service working for the Army National Training Center at Fort Irwin in Barstow, California. After several years spent raising a family in Los Angeles, Ms. Sundstrom devoted a significant portion of her career to helping retirees and disabled citizens in the Social Security Administration office in Visalia. In this role she became intimately familiar with the needs of our vibrant, yet economically challenged region.

Christina Sundstrom's tireless dedication to serving the Central Valley's families and her efforts to improve the Valley's communities earned her the respect of her peers in state and federal agencies and made her a key community leader in the region. I was fortunate to have her join my Congressional staff after my election in 1990 as my District Director. Over the next seven years, Ms. Sundstrom excelled as my representative in the district and as a skilled liaison between state and federal agencies, community groups, and constituencies. As my District Director, Ms. Sundstrom played a significant role in providing relief to many Valley agricultural communities following a crop freeze in the early 1990's. She played a key role in addressing this region's compelling needs by helping to

secure key economic development grants and coordinating visits by Cabinet officials and by the President of the United States in the mid-1990's.

As an extension of her proven commitment to the Central Valley's economic development, Ms. Sundstrom later accepted a position as Programs Coordinator with the U.S. Department of Agriculture's Rural Development Office in Visalia. In this capacity, she assisted many struggling Valley communities in their efforts to obtain grant funding, tax incentives, and other forms of assistance necessary to combat the Valley's persistent double-digit unemployment. Many local leaders have praised Ms. Sundstrom as an effective and invaluable resource to the region.

Christina Sundstrom's retirement this week from the Department of Agriculture marks a significant loss for the San Joaquin Valley, which has come to rely on her as one of its best and brightest advocates for positive change. Mr. Speaker, I ask my colleagues to join me in recognizing the distinguished career of Christina Sundstrom and her notable record of service to our community on this special occasion.

HONORING MERLE KILGORE

HON. JIM MCCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. MCCRERY. Mr. Speaker, I rise this evening to honor a living legend in the world of country music, who also happens to be a fellow citizen of the great state of Louisiana. From singer to songwriter and manager to actor, Merle Kilgore has been involved in every conceivable facet of modern show business. Throughout his entertainment career, he has been unique for the breadth of his entertainment experience and unsurpassed in his talent. It is the lifelong achievements of such a great man that I wish to honor here tonight.

Merle Kilgore was born Wyatt Merle Kilgore on August 9, 1934 in Chickasha, Oklahoma. His family moved to Shreveport, Louisiana before he began school. He attended Byrd High School in Shreveport and later attended college at Louisiana Tech in Ruston.

He first became involved with music at the young age of 14, carrying the guitar of another famous country musician, Hank Williams, Sr., at the famous Louisiana Hayride. Just two years later, in 1950, he began his show business career, performing at the Louisiana Hayride at just 16.

His first job was as a Disc Jockey at a radio station in Ruston, Louisiana and in 1953, he even hosted his own television and radio show as "The Tall Texan".

Merle made his songwriting debut when he wrote his first number one hit, "More and More," in 1953; he was just 18 years old. The song was recorded by Webb Pierce and became a million-seller in 1954. His success as a songwriter seemed to be assured by the popularity of his first song, but he was far from finished.

Surpassing his own songwriting accomplishments seemed to be another of Merle's talents. Not long after writing "More and More", Merle wrote the 10 million-seller "Wolverton Mountain", which was recorded by Claude

King. Still not satisfied, he and June Carter Cash wrote the country music hit 'Ring of Fire,' which was recorded by Johnny Cash and sold more than 16 million records. To this day, Merle Kilgore has continued to be a prolific songwriter, cataloging more than 300 songs and selling almost 50 million records.

He recorded his first top 10 record in 1959, the self penned "Dear Mama", while he was a DJ and the manager of a radio station in Louisiana. In his signature style of never being satisfied with just one big hit, Merle added the records "Love has made you beautiful," "42 in Chicago," and "Fast Talking Louisiana Man" among others to his already impressive collection of songs and records. Merle's favorite record, entitled "Mr. Garfield" by Merle Kilgore and Friends was recorded with longtime friends and fellow country music legends Hank Williams, Jr. and Johnny Cash.

As if his accomplishments in recording and songwriting were not enough, Merle Kilgore's talents in the entertainment industry extend even further. As an actor, he has appeared in the box office hits "Coal Miner's Daughter," Robert Altman's "Nashville," "W.W. and the Dixie Dance Kings," "Roadie," and the CBS-TV movie, "Willa." He also played himself in NBC-Telecom's Living Proof, the life story of Hank Williams, Jr.

While lesser men would have been satisfied with such an impressive list of lifetime accomplishments, Merle Kilgore went further. In 1962, Merle moved to Nashville to open and manage the Nashville branch of the prestigious Shapiro Bernstein and Al Gallico music publishing companies. He became the general manager of Hank Williams, Jr.'s music publishing companies in 1969 and on April 7, 1986 was named Executive Vice President and head of management of Hank Williams, Jr. Enterprises. Merle Kilgore has been affiliated with Hank Williams, Jr. for more than 30 years and has served as his personal manager for the last 16 years.

The management experience and leadership of Merle have been tested and proven in a number of successful business ventures and industry leadership positions. He has been involved as Vice President of the Country Music Association and has served on that organization's Board of Directors for the last fourteen years. He has been the President of both the Nashville Songwriter's Foundation and the Nashville Songwriter's Association International; a fitting position for an individual of his talent.

Merle Kilgore's outstanding accomplishments have not gone unnoticed. In 1987, he was named as an honorary State Senator for the State of Tennessee. He was selected by his fellow entertainers as Country Music Association's first ever Manager of the Year in 1990. Three years later, in 1993, Merle was inducted into the Louisiana State Hall of Fame in Lafayette and was also inducted into the Shreveport's Byrd High School Hall of Fame. In 1998, Merle received the Legendary Songwriter's Award from the North American Country Music Association and was inducted into the Nashville Songwriters' Hall of Fame.

Merle continues to direct the operations of Hank Williams, Jr. Enterprises in Paris, Tennessee and Merle Kilgore Management in Nashville.

Mr. Speaker, I am honored to have the opportunity to pay tribute to a living legend in American entertainment and an icon of Amer-

ican country music. Mr. Merle Kilgore has consistently outperformed and exceeded even his own high achievements. I join all of his fans around the world in saying "Thank You" for sharing his incredible talent with all of us and wish him many more years of health, happiness, and continued success.

NORTHEAST REGIONAL DEVELOPMENT COMMISSION

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. MICHAUD. Mr. Speaker, I rise today to introduce a bill I authored that will create the Northeast Regional Development Commission. The Commission would be charged with investing federal resources for economic development and job creation in the most distressed areas of Maine, New Hampshire, Vermont and New York.

This is an idea whose time has come. Its roots can be traced as far back as 1965, when Congress approved the creation of the Appalachian Regional Commission (ARC). This unique Federal-State partnership was charged with promoting development in the depressed Appalachian area through regional planning, technical assistance, and funding of projects aimed at encouraging economic prosperity.

It was a bold idea, and it worked. According to the National Association of Development Organizations, since its creation, the ARC has reduced the number of distressed counties in their region from 219 to 100. It has cut the poverty rate from 31 percent to 15 percent, and helped 1,400 businesses create 26,000 new jobs in the region since 1977.

With a record like that, other regions began to look at this model, and realize that they needed the same thing in their own area. Over the past decade, this has led to the creation of three additional commissions and proposals for two more.

When I arrived in Congress and saw these proposals, it became clear that other regions were catching on to a good idea, but that the Northeast could be missing the boat. There is currently no single body focused on the need for jobs and economic development in the Northeast region.

The Northeast has a clear, compelling case for coordinated federal investment. Compared to the counties of some of the other regions that have an existing or proposed commission, a sample of Northeast counties along the Northern border showed higher unemployment, much higher outmigration, and extremely similar, and low, household income. All of these measures were far worse than the national average.

Creating a regional commission would give us the chance to look at economic development in a whole new way: as a challenge that we can tackle together as a region. Together we all face declining natural resource industries, aging infrastructure, and youth who are leaving to seek opportunity elsewhere. But together, we also still possess abundant resources, a good geographic location with opportunities to ship our products to the world, and a trained workforce that is ready to take on new challenges.

The Commission created in my bill would utilize the successful ARC approach where

local development districts and other non-profit organizations bring project ideas and priorities to the Commission from the local level. Because local plans are approved by the state, no state would have mandates thrust upon it from outside.

Whether the need is new irrigation systems for agriculture, land and forestry conservation to maintain productive traditional uses, investment in our fishing infrastructure, new roads, or health care facilities—a Federal commission can play a key role in investing in our economy. Our region needs this kind of investment.

Already, the interest that this proposal has generated among many diverse groups has been a step in the right direction, as it has helped to bring people together from many different sectors to think creatively, constructively, and cooperatively about our future. We are off to a good start, and now there is a lot more work to be done.

HONORING JOSEPH A. PICHLER ON HIS RETIREMENT FROM THE KROGER COMPANY

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. PORTMAN. Mr. Speaker, I rise today to honor a friend and constituent, Joseph A. Pichler, who retired on June 24, 2004 as Chairman of the Board of The Kroger Company, which is headquartered in my hometown of Cincinnati. He has been an exemplary leader in academia, business and our community.

After earning an undergraduate degree from Notre Dame and a Master's and Ph.D. from the University of Chicago, Joe taught for 15 years at the University of Kansas School of Business, and served as Dean for six years. From 1968 to 1970, he was Special Assistant to the U.S. Department of Labor's Assistant Secretary for Manpower.

Joe has had a truly extraordinary business career, bringing energy, hard work and leadership to every assignment. Before his election as Kroger's Chairman, Joe served the company as Chief Executive Officer; President and Chief Operating Officer; and Executive Vice President. Joe joined Dillon Companies in 1980 as Executive Vice President, and was elected to Kroger's Board of Directors when Dillon merged with Kroger in 1983.

Joe has pursued community service in our area with equal enthusiasm. He heads the Cincinnati Center City Development Corporation's (3CDC) working group that created a new development strategy for Cincinnati's Washington Park area. For many years, Joe and his wife, Susan, have volunteered in the historic Over-the-Rhine neighborhood near Kroger's headquarters building, and we worked together on the new National Underground Railroad Freedom Center.

Last year, Joe asked me to help craft a legislative solution that would allow Cincinnati's "One Stop" Employment Center to continue serving clients in the Over-the-Rhine area. Since then, other Ohio counties have received similar legislative assistance. Joe's role in keeping these key job training facilities open cannot be overstated.

All of us in Cincinnati congratulate Joe on his retirement from Kroger and wish him the best in the new challenges ahead.

HONORING 40TH ANNIVERSARY OF
PASSAGE OF CIVIL RIGHTS ACT
OF 1964

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 23, 2004

Ms. LEE. Mr. Speaker, I rise in strong support of this resolution.

First, I would like to thank the gentlewoman from the District of Columbia, Ms. NORTON, for introducing House Resolution 676, which recognizes and honors the 40th anniversary of congressional passage of the Civil Rights Act of 1964, and for her work in getting this bill on the House floor today.

H. Res. 676 recognizes the advancements we have made in the 40 years since the Civil Rights Act was passed, and reaffirms the work we need to do, not only to retain what progress has been made, but also to continue to move toward greater social existence and inclusion.

But I want to take a step back for a moment and trace some of the history that led up to the passage of the Civil Rights Act.

Many of us can remember what it was like in America back in the tumultuous era of the 1960's. It was a time of social unrest marked by riots and protests across the country.

Growing up in this era, we were all galvanized by the passion and commitment of our civil rights leaders who worked to end America's immoral practice of discrimination.

The 1960's and the decades preceding were marked by unprecedented resistance to racial segregation and discrimination captured by the 'freedom rides' throughout the south, the Lunch counter sit-ins, forced school integration in segregated schools, Supreme Court cases challenging Jim Crow practices and the individual stances that our parents took at their jobs and in their neighborhoods.

Here in Washington, A. Phillip Randolph and Bayard Rustin, along with a young activist from Georgia by the name of JOHN LEWIS, coordinated and organized a non-violent march on Washington on August 28, 1963 bringing more than 200,000 people to the Nation's Capital to hear Dr. Martin Luther King Jr., and other speakers and to demand the dignity, justice, and jobs that were promised by the government, and to have their economic and political concerns heard.

To be Black in America at the time meant you had no voice in the government, could not attend good schools, could not get good jobs, and in short, could not live a free life.

For over 100 years after slavery was abolished, Blacks and other minority groups were relegated to second class citizenship.

And because of all these facts, the March on Washington was nothing short of revolutionary in the precedent it set as the culmination of a national social movement.

But the real test of the movement was whether it could accomplish change.

As Bayard Rustin wrote of the March in his magazine, *Liberation* in 1963:

"What counted most at the Lincoln Memorial was not the speeches, eloquent as they were, but the pledge of a quarter million Americans, black and white, to carry the civil rights revolution into the streets. Our task is now to fulfill this pledge through nonviolent uprisings in hundreds of cities."

It was on February 10, 1964 that Congress finally passed an unprecedented and highly contentious bill to support and protect the civil liberties and rights of all people.

The Civil Rights Act of 1964 in many ways turned a new page on the history of our nation, and all people, regardless of race, class or gender, were acknowledged as equal citizens of our nation.

Signed into law on July 2, 1964, the Civil Rights Act of 1964 outlawed segregation in businesses such as theaters, restaurants, and hotels.

It banned discriminatory practices in employment and ended segregation in public places such as swimming pools, libraries, and other public facilities.

And while it is often misconceived that the Civil Rights Act only affected the lives of Black Americans in the 1960s, this landmark legislation also protected the rights of women for the first time in history.

But as we all know, by itself the legislation could not transform the hearts and minds of those who truly believed in segregation. Only time could truly do that.

Yet the injustices that Blacks and other minorities faced with the tacit approval of the government were finally over.

But today our March, our struggle, and our cause are not over.

Today we are still attempting to understand and counteract the ramifications of the physical and mental enslavement which our ancestors were subjected to.

Profound inequalities remain imbedded in American society.

For example, black women are less likely to have breast cancer, but are more likely to die from this terrible disease because of the discrepancies in our health care system.

And according to the AFL-CIO, the average 25-year-old working woman will lose more than \$523,000 due to unequal pay during her working life.

Facts such as these indicate that our work is far from complete.

Our Nation's capital, the icon of our collective American legacy pays sparse tribute to the African forefathers of this country and our Civil Rights leaders.

Despite the fact that this country was built on the backs of slaves, there are few commemorative statues or paintings that demonstrate as much.

Perhaps most glaringly, there is still no national memorial dedicated to Dr. Martin Luther King, Jr. on our National Mall.

And in this day and age, it is even more important that we continue to fight for our civil right and civil liberties, especially in light of the Patriot Act.

The resolution we are discussing today not only recognizes how far our country has come along, but it also praises the sweat and blood that was sacrificed to make sure that we got here.

This commemorative resolution is a testament to the shift in this country toward the spirit of inclusion and equality.

It also reminds us of how much we have left to do.

Our great society is highly regarded around the globe because of our laws, which ensure the integrity of our constitution and perpetuate the belief that all men and women are created equal.

The legacies of those who marched, protested, and died for our cause capture the true

sentiment of our nation. By passing this resolution we continue to commemorate their struggle, our struggle.

It is the ultimate sacrifice of individuals like Dr. Martin Luther King Jr., from which we all benefit.

We must honor their memory by continuing to work to realize their vision.

And today we will honor their memory by passing this resolution.

RECOGNIZING THE EIGHTIETH
BIRTHDAY OF GOVERNOR PHIL
HOFF

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. SANDERS. Mr. Speaker, it is a very great personal pleasure to extend best wishes on his eightieth birthday to Governor Philip H. Hoff of Vermont.

During my own years of service to Vermont, I have found no finer example, no better counselor, no more steadfast friend, than Phil Hoff, the Governor of Vermont from 1962 to 1969.

Educated at Williams College and Cornell University, Phil Hoff ran for Governor of Vermont in 1962. His was an uphill battle: Although Democrat William Meyer had been elected to one term in the U.S. House in 1958, no Democrat had won the governorship in the state of Vermont since before the Civil War. Vermont was steadfastly, resolutely, a one-party state, even resisting national plebiscites for Democratic candidates, standing alone with Utah in voting for William Taft in the Woodrow Wilson victory in 1912, alone with Maine in the Franklin Delano Roosevelt landslide in 1936.

With energy, vision and a great personal warmth that touched voters deeply, Phil Hoff boldly took a simple message to Vermont's citizens: It was time for a change. And people listened, and agreed. Phil Hoff was elected Governor of Vermont in 1962 by defeating the incumbent chief executive, F. Ray Keyser Jr. His vigor was put in service of his dual linked commitments, to social justice and to making those changes that would bring it about. During the next six years, everything in Vermont was changed, opened up, made more responsive to the people, reshaped in the visionary spirit of those exciting times of growth and renewed democracy. With Phil Hoff as governor, it seemed anything was possible: Stale tradition, entrenched power, historical limitations, all gave way to the bold vision and active involvement of this remarkable human being.

While we have many differences, many different points of view, in our state, for many years Vermont has been to people all over America a beacon for what politics can be. Here, ideological conservatism does not rule, nor narrow self-interest, nor recriminations of one group against another. Our political figures far more often than not speak out on the side of justice and fairness. That is the legacy of Phil Hoff, who not only governed our state but left a legacy that ever afterwards politics would be about inclusion and not exclusion, about moving confidently into the future rather than cowering in the shadow of the past.

Phil Hoff kept up an active life in the public sector, serving in more recent years as a Vermont State Senator, as a Trustee and

President of Vermont Law School, as Chairperson of Vermont Advisory Committee of U.S. Commission on Civil Rights. His greatest honors have come not from institutions, corporations, bureaucracies, but from the place held for him in the hearts of his fellow citizens. Deeply honored and revered by all in Vermont, Phil Hoff remains accessible and warm, a good neighbor, a good friend, a model citizen, to thousands and thousands of Vermonters.

On my own behalf and on behalf of the entire state of Vermont, Let me conclude by wishing Phil Hoff, our finest public citizen, our model of what a human being can and should be, a very, very happy eightieth birthday. Phil, the nation, as well as Vermont, is proud of you.

INTRODUCTION OF LEGISLATION TO STOP FORUM SHOPPING BY NATIVE AMERICAN TRIBES

HON. CHRISTOPHER JOHN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. JOHN. Mr. Speaker, I rise today to introduce The Stop Forum Shopping Act of 2004. The trend of forum shopping by Native American Tribes for the ideal venue to locate a casino has become quite troubling. Tribes with no connection to lands, sometimes hundreds of miles from their home area, are seeking to place these lands into trust solely for gaming purposes. Today, I urge my colleagues to join me in curbing this trend by amending the Indian Gaming Regulatory Act (IGRA) to define ambiguous language and clearly reflect the intent of the law.

Recent events in my home state of Louisiana best illustrate the need for these definitions. A Tribe that has been federally recognized since 1995 has only recently sought to obtain their "initial reservation" on lands over one hundred miles from their historical lands. They have also secured distant land for a casino that would have a negative economic impact on the five non-tribal, tax-paying casinos that operate less than 50 miles away. While the IGRA permits tribes to take such distant land into trust for gaming under very limited circumstances, the law did not intend for tribes to use such exceptions to shop for real estate.

The Stop Forum Shopping Act of 2004 will prevent tribes from cherry picking land for a casino by clarifying the meaning of initial reservation and consultation. Essentially, this Act will heighten the level of scrutiny given to such action and increase the required notice to impacted parties. This Act will stay true to the intent of the IGRA by limiting an initial reservation to a tribe's service area, where more than 50 percent of the tribal members reside, or where the tribe has historically resided. Furthermore, this act will increase the requirements of the consultation process so that all impacted parties are provided adequate notice of any gaming proposals within 50 miles of their area and an opportunity to participate in the process.

I hope my colleagues will join me in recognizing that venue shopping by Native American Tribes is an increasing problem that must be addressed. Not only is it against the intent

of the IGRA, it is unfair to the many tribes that abide by the rules and work hard in remote locations to provide economic benefits to their members. Allowing any tribe to circumvent the intent of the IGRA and randomly select the most economically advantageous lands should not be an option.

CONGRATULATING THE INTERIM GOVERNMENT OF IRAQ

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. BLUMENAUER. Mr. Speaker, it is a bit surreal for Congress to pass a Resolution congratulating a peaceful Iraqi transition on one of the bloodiest days of the insurgency movement. This Resolution seems more an exercise in self deception. I am hopeful that in the coming days, Congress and this administration will focus instead on how to stem the violence that continues to escalate, and to address the deep questions about our policies and management.

Congressional oversight is needed to examine the long term costs and consequences, and to determine what went wrong and how to fix it. It is critical to improving the safety of our soldiers and the people of Iraq who are struggling to rebuild their country.

Until we can be honest with our soldiers, the American public and the Iraqi people I think it is decidedly inappropriate to continue with resolutions of this nature.

A TRIBUTE TO KENNETH V. TURVEY

HON. ROBERT E. (BUD) CRAMER JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. CRAMER. Mr. Speaker, I rise today to recognize my friend, Kenneth V. Turvey, who for the past fifty years has served as the Organist and Director of Music for my church, the First United Methodist Church in Huntsville, Alabama.

Ken was born in Dayton, Ohio and became a church organist while still a freshman in High School. While receiving both his Bachelor and Master of Music Degrees from the Cincinnati Conservatory of Music, Ken served as the Associate Organist-Choirmaster at Cincinnati Christ Episcopal Church.

Ken went on to serve his country proudly as a Chaplain's Assistant in the United States Army. While in the Army, he served seventeen months in Korea and organized an Easter Sunrise service of "Handel's Hallelujah Chorus" for Commanding General Maxwell Taylor.

On January 17, 1955, Ken began his work at the First United Methodist Church as its Organist and Music Director, a position he has held ever since. Through the decades, he has been a constant and reassuring presence for many of us in North Alabama. He is highly respected and committed to helping others throughout North Alabama.

On June 30, 2004, Ken is retiring from First United Methodist Church. I am so privileged to have heard this talented man in person. It will

be strange not seeing him at the organ leading the church choir but all of us in North Alabama are fortunate to have known Ken and have him as a member of our community. Mr. Speaker, I rise today to congratulate Ken Turvey on his wonderful service to First United Methodist Church and wish him the very best for a well-deserved rest.

CONTRIBUTIONS OF DR. J. ROBERT BEYSTER

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. HUNTER. Mr. Speaker, I rise today to recognize the contributions of Dr. J. Robert Beyster, the founder of Science Applications International Corporation (SAIC). Thirty-five years ago, Bob Beyster and a small group of scientists founded SAIC in my home town of San Diego. During this 35th anniversary, I would like to recognize Bob for his accomplishments in creating and leading a company dedicated to helping the United States government protect and serve its people.

Today, SAIC is one of the nation's top federal prime contractors. One unique aspect of this corporation is the fact that it is truly "employee-owned." Dr. Beyster believed strongly that "those who helped him build the company should own the company." Most of the 40,000 plus employees currently own SAIC stock.

SAIC has always worked with the U.S. Government, and has played a key role in our national security by providing systems engineering and integration support for our Armed Forces and allied powers. In addition, SAIC serves 12 of 13 Cabinet-level U.S. civilian agencies and has supported all 22 agencies of the newly created Department of Homeland Security.

In the aftermath of September 11, it provided wide-ranging support in New York City and Washington, D.C., and for military and government agencies. Today, SAIC support helps safeguard the nation's critical infrastructure and the information assets of government agencies. Its systems and networks are used to thwart crime and terrorism, and its technologies are used to examine vehicles and containers at ports and borders without impeding the flow of commerce.

SAIC designed and developed the Composite Health Care System for U.S. military hospitals, worldwide. Now, the company's Frederick subsidiary manages the National Cancer Institute's leading center for cancer and AIDS research.

Telcordia Technologies, an SAIC subsidiary, is the leading provider of telecommunications network software and new wireless solutions for military and criminal justice initiatives.

Decades of service to energy, the environment and our space programs have improved cost efficiencies, reduced risk and produced measurable results. Agencies have selected SAIC to help them modernize and manage huge volumes of data and to develop internet-based systems praised for setting new standards for e-government.

Dr. Beyster's contributions to the nation as a leader in applying science, technology and innovation to meet national needs stand as a tribute to the American entrepreneur and truly

demonstrate American business at its very best. I am truly honored to call Bob Beyster my friend.

HONORING OUR FALLEN HEROES

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. NUNES. Mr. Speaker, I rise today with a heavy heart to pay tribute to three soldiers from the 21st Congressional District who gave their lives during combat in Iraq.

It is for the greater good that they joined the military, serving their country with honor and distinction. These native sons of ours played an integral part in securing peace in Iraq and giving freedom to an oppressed people.

They represent the best of our community and of our military. All three men grew up from humble means, working hard to achieve in school, sports, and work. They were of good moral character, quick to stand up for what is right and to defend those who needed it—friends and strangers alike.

Army 1st Lt. Osbaldo Orozco, 26, of Earlimart died when his Bradley Fighting Vehicle rolled over as his unit rushed to help others under attack near Tikrit on April 25, 2003. Lt. Orozco was a true leader and role model for those around him. He excelled in everything he did—school, sports, and life itself—inspiring those around him along the way.

Army Sgt. Michael W. Mitchell, 25, who grew up in Porterville, was shot by a sniper April 4, 2004, in Iraq as he stood in the open hatch of a tank. He was a bright young man with tremendous determination who was gifted athletically and who excelled at being a soldier.

Army Spc. Daniel Paul Unger, 19, was killed by shrapnel from a rocket-propelled grenade as he helped Iraqi civilians take cover during an attack May 24, 2004. He loved being a soldier. He also loved to share with others the love for God he kept in his heart. He was a compassionate young man whose ambition drove him to achieve in every arena in life.

Theirs was a sacrifice we cannot repay. We will cherish their memory. We will point to their selfless example. We will aspire to their bravery, and we will carry on under the liberty they defended. May God bless their souls and the families they left behind.

CONGRATULATING THE DESIGNERS, SPONSORS, AND PILOT OF SPACESHIPONE ON BEING THE FIRST PRIVATELY-FINANCED VEHICLE TO LEAVE THE EARTH'S ATMOSPHERE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. PAUL. Mr. Speaker, I rise to congratulate and commend the designers, builders, sponsors, and pilot of SpaceShipOne on the occasion of its successful flight out of earth's atmosphere on June 21, 2004. What is most remarkable about SpaceShipOne, of course, is that it is the first privately-financed and pri-

vately built vehicle to leave the Earth's atmosphere.

SpaceShipOne was designed and built by Burt Rutan and piloted by test pilot Michael W. Melvill. It was launched successfully from Mojave California, reaching a height of 100 KM (62 miles) above the Earth's surface. Remarkably, SpaceShipOne is entirely privately-financed, chiefly by Microsoft co-founder Paul G. Allen.

According to the designers and financiers of SpaceShipOne, the mission of this project is to demonstrate the viability of commercial space flight and to open the door for private space tourism. The successful completion of SpaceShipOne's maiden voyage demonstrates that relatively modest amounts of private funding can significantly increase the boundaries of commercial space technology. It constitutes a major leap toward their goal and demonstrates that private capital and private enterprise can be applied to enormous success all on its own. Those associated with this project represent the best of our American traditions, embodied in our enterprising and pioneering spirit.

Their success should also be read as a cautionary tale for all of us in government. If only the United States had a taxation policy that limited government and thereby freed up more private capital, there is no telling how many more like Burt Rutan, Paul Allen, and Michael Melvill would be able to do great things to the benefit of all of mankind. This not just in space exploration, but in medical research, alternative energy research, and any number of the problems that continue to perplex mankind. Private enterprise depends on results and success and therefore private capital is always targeted much more wisely than is monies confiscated by governments.

With this successful maiden voyage, SpaceShipOne is now the leading contender for the \$10 million Ansari X Prize, which is to be awarded to the first privately financed three-seat aircraft that reaches an altitude of 62 miles and repeats the feat within two weeks. I wish all those involved in this remarkable project the best of luck.

HONORING JAY LOVELL ON THE COMPLETION OF HIS INTERNSHIP

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. GORDON. Mr. Speaker, I rise today to thank Jay Lovell for his service during his internship this summer. Jay is a fellow Middle Tennessean, and he has been a great help and service to my constituents in Tennessee's Sixth Congressional District.

Jay just finished his sophomore year at the University of Missouri. Despite his youth, he has already shown himself to be dedicated to public service. While attending high school at Nashville's Montgomery Bell Academy, he worked in a soup kitchen and was a member of Habitat for Humanity. He is always ready to lend a hand and a kind word to others.

Jay has experienced the many facets of Congress first-hand. He has been very helpful in answering constituent concerns, guiding schoolchildren through the U.S. Capitol and assisting me and my staff with countless projects.

I hope Jay has enjoyed this learning experience as much as we have enjoyed having his help in the office. I wish him all the best in his future endeavors.

IN RECOGNITION OF REV. DR. JOSEPH E. LOWERY ON THE EVE OF THE 40TH ANNIVERSARY OF THE CIVIL RIGHTS ACT OF 1964

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Ms. CARSON of Indiana. Mr. Speaker, on the 40th anniversary of the Civil Rights Act of 1964, now is an especially appropriate time to acknowledge and commend the historic contributions of a great civil rights fighter, The Reverend Doctor Joseph E. Lowery.

Dr. Lowery is the Co-founder, President Emeritus, Southern Christian Leadership Conference (SCLC), Chairman Emeritus, Black Leadership Forum, Inc. and Convener of the Georgia Coalition for the People's Agenda (GCPA).

As co-founder with Martin Luther King, Jr., of the SCLC in 1957; Dr. Lowery served as vice president (1957–67); chairman of the board (1967–77); and as president and chief executive officer from Feb. 1977–Jan. 15, 1998. Dr. King named him chairman of the delegation to take demands of the Selma-to-Montgomery March (1965) to Gov. George Wallace. Wallace had ordered the marchers beaten ("Bloody Sunday") but apologized to Lowery in 1995 as he led the 30th anniversary re-enactment of the historic march, which led to the passage of the Voting Rights Act.

His genesis as a civil rights advocate was in the early '50s in Mobile, AL where he headed the Alabama Civic Affairs Association, which led the movement for the desegregation of buses and public accommodations. While in Mobile, his property was seized by the Alabama courts in an historic libel suit: Sullivan v. NYTimes, Abernathy, Lowery, Shuttlesworth, & Seay. The U.S. Supreme Court vindicated the ministers in a landmark ruling on libel (Read Make No Law by Anthony Lewis, 1964).

Lowery led the historic Alabama to Washington pilgrimage (1982) to free Maggie Bozeman and Julia Wilder, falsely convicted of voter fraud. This march helped gain the extension of provisions of the Voting Rights Act to 2007. Nationally recognized as a strong proponent of affirmative action, he also led the movement in Nashville to desegregate public accommodations. In Birmingham, he served as president of the Interdenominational Ministerial Alliance, which spearheaded the hiring of Birmingham's first black police officers, etc. As a United Methodist minister, he was elected as delegate to three General Conferences, and presided over an Annual Conference (acting bishop in 1966).

He is co-founder and chairman emeritus of the Black leadership Forum, a consortium of national black advocacy organizations, and served as third president following Vernon Jordan and Benjamin Hooks. As president of SCLC, he negotiated covenants with major corporations for employment advances and business contracts with minority companies. One of the first protest campaigns he led was against the Atlanta based Southern Company

for contracting to purchase ten million tons of coal from South Africa (12977). He was among the first five persons arrested at the South African Embassy in Washington, D.C. in the "Free South Africa" campaign (1984). He co-chaired the 1990 Nelson Mandela visit to Atlanta following his release from prison and awarded Mandela the SCLC/Martin Luther King, Jr. Human Rights Award. He was keynote speaker at the African Renaissance Dinner in Durban in 1998 honoring Mandela's retirement. He was invited to keynote the dedication of a school and hospital in East Germany honoring Martin Luther King, Jr. He led a peace delegation to the Middle East and met with the president of Lebanon and Yassir Arafat to seek justice in the Middle East by non-violent means. He led protests against the dumping of toxic waste in Warrenton County, N.C., and was arrested twice in this campaign which gave birth to the environmental justice movement.

He served on the board of directors of MARTA (Metropolitan Atlanta Rapid Transit Authority) for 23 years and was chairman for three years (during the '96 Olympics), and was instrumental in securing millions in contracts for minority businesses. Since retiring from the pulpit in 1997 and SCLC in January 1998, he has helped black farmers secure a federal court decree valued at \$2 billion against the Department of Agriculture for discrimination. He assisted black auto dealers to seek redress from discrimination claims against auto manufacturers. He has supported black concert promoters in their fight against exclusionary policies of talent agencies. As convener of the Georgia Coalition for the People's Agenda (CPA), he is active in election reform and voter empowerment, economic justice, criminal justice reform, including alternative sentencing and a moratorium on the death penalty.

He is married to Evelyn Gibson Lowery, an activist in her own right, founder of SCLC/WOMEN and is the father of five children.

Lowery has received numerous awards, including an NAACP Lifetime Achievement Award and the Martin Luther King Center Peace Award. Essence has twice named him as one of the Fifteen Greatest Black Preachers. Lowery is married to Evelyn Gibson Lowery, an activist in her own right.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. HINOJOSA. Mr. Speaker, I regret that I was unavoidably detained in meetings with the regional leaders of my Congressional district. Had I been present, I would have voted "yes" on rollcalls 282, 283, 284 and 285.

INTRODUCTION OF THE LITERACY, EDUCATION AND REHABILITATION ACT (LERA)

HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. SCOTT of Virginia. Mr. Speaker, today I am introducing the Literacy, Education and

Rehabilitation Act (LERA). The purpose of LERA is to reduce recidivism and the victimization and costs, fiscal and social, associated with such recidivism. Studies have shown that inmate participation in education, vocational and job training, prison work skills development, drug abuse, mental health and other treatment programs, all reduce recidivism, significantly.

The Federal prison population has increased more than 7-fold over the past 20 years. In 1984, the population was about 25,000 prisoners. Today, there are more than 175,000 prisoners, and the population is growing. According to the Federal Bureau of Prisons (BOP), the primary reasons for this tremendous growth has been longer sentences resulting from the 1984 Sentencing Reform Act and mandatory minimum sentences. The Sentencing Reform Act established determinate sentencing, abolished parole, and dramatically reduced good time credits. Other sentencing policy by Congressional or administrative action has increasingly limited the discretion of judges and prison officials to impact sentence lengths or confinement options.

During the same period, the annual number of prisoners returning to communities has also increased several fold. Currently, about 40,000 prisoners leave Federal prisons each year. The question is whether they leave prison better prepared to lead law-abiding lives, or in a worse position to do so. The addition of a felony record and a Federal prison stay is not, in and of itself, likely to add to a person's job or social development prospects.

Unfortunately, the elimination of incentives such as parole, good time credits and funding for college courses, means that fewer inmates participate in and excel in literacy, education, treatment and other development programs. LERA provides incentives and recognitions for achievement by giving the BOP Director the discretion to grant up to 60 sentence credit days per year to an inmate for successful participation in literacy, education, work training, treatment and other development programs. LERA will not only prevent crime victimizations, but also save taxpayers money. Many sentences are excessively long because mandatory sentencing policies do not allow sentencing judges the discretion to distinguish between hardened criminals and those amenable to rehabilitation and preparation for successful re-entry. LERA allows offenders to distinguish themselves.

FREEDOM FOR FABIO PRIETO LLORENTE

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Fabio Prieto Llorente a political prisoner in totalitarian Cuba.

Mr. Prieto Llorente is an independent journalist for the independent press agency of Isla de Pinos. Instead of the false propaganda mandated by the regime, he writes about the reality of the reprehensible repression inflicted on the Cuban people by the dictatorship. Because of his belief in truth in print, truth for the people of Cuba and truth to enable the world

to better comprehend the daily horrors of totalitarian Cuba, Mr. Prieto Llorente was a target of the totalitarian regime.

According to Amnesty International, Mr. Prieto Llorente received threats and warnings from Castro's thugs in order to prevent him from pursuing his career as a truthful journalist. He was detained in January 2002 simply because he reported on an opposition demonstration. On March 19, 2003, Mr. Prieto Llorente was arrested because he published the facts about the tyrannical regime.

He was arrested as part of the despicable island wide crackdown of that month on peaceful pro-democracy activists. In a sham trial, Mr. Prieto Llorente was sentenced to 20 years in the infernal totalitarian gulag. While incarcerated in the grotesque squalor of the atrocious gulag, he has been held in solitary confinement, confined with common criminals, suffered from violent headaches and lack of medical care. Let us be very clear, Mr. Prieto Llorente is languishing in unspeakable squalor because he published the truth.

Mr. Speaker, it is unconscionable that journalists such as Mr. Prieto Llorente are locked in dungeons for writing and publishing the facts about the nightmare that is the Castro regime. At the dawn of the 21st Century, it must no longer be acceptable for anyone in the world, anywhere in the world, to be locked in a gulag for writing the truth. My colleagues, we must demand the immediate release of Fabio Prieto Llorente and every prisoner of conscience languishing in the Cuban dictatorship's abhorrent gulag.

WORLD WAR II MEMORIAL DEDICATION A SUCCESS; WEEKEND OF MAY 29, 2004

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to congratulate and recognize the staff of the American Battle Monuments Commission and the World War II Project for all their efforts in ensuring a very successful dedication of the World War II National Memorial: General P.X. Kelley, Chairman, American Battle Monuments Commission; Major General John Herrling, Secretary, American Battle Monuments Commission; Mr. Kenneth Pond, Executive Director, American Battle Monuments Commission; Mr. Mike Conley, Associate Executive Director, National World War II Memorial Project; Mr. Bob Patrick, Director, National World War II Memorial Dedication; Mr. Dick Couture, Director, Marketing and Member Services, National World War II Memorial; Ms. Betsy Glick, Director, Communications, National World War II Memorial Project; and Mr. Barry Owenby, Project Executive, National World War II Memorial Project.

These individuals, along with their staffs, worked untold months to ensure that the weekend of May 29, 2004, will live on in the hearts of the veterans and families of the "Greatest Generation."

More than 150,000 people attended the May 29, 2004, dedication ceremony of the first national memorial built to honor all of the Americans who served their country during World War II. Millions more were able to watch the

dedication through live television feeds to the national broadcasting networks, the History Channel, and C-Span.

Additional events throughout the weekend drew large crowds who gathered for reunions and celebrations. A four-day National World War II Reunion held in conjunction with the Smithsonian Institution Center for Folklife and Cultural Heritage drew over 300,000 people, and three two-hour ceremonial and musical performances held at the MCI Center were sold out. A Service of Celebration at the Washington National Cathedral was well attended by military and civilian clergy and World War II dignitaries.

Mr. Speaker, the enthusiasm, performance, and commitment of all the staff at the American Battle Monuments Commission, the National WWII Memorial Project, and the National WWII Memorial Dedication do not go unnoticed, and I thank them for their exceptional work on behalf of our Nation's veterans.

HONORING SAUK CITY

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Ms. BALDWIN. Mr. Speaker, I rise today to honor Sauk City as it celebrates its sesquicentennial. Sauk City is Wisconsin's oldest incorporated village; it was founded in 1854, just 6 years after the great state of Wisconsin.

This scenic part of my district is situated on the beautiful Wisconsin River and attracts thousands of visitors each year to boat, hike, camp, and bike. Sauk City's great outdoors provide not only a wonderful backdrop for leisure activities, but also have proved to sustain this community and its strong investment in agricultural trade.

Sauk City can pride itself on being a community which has always placed an emphasis on the safety of its residents. It is home to Wisconsin's oldest-standing fire station and volunteer fire department; Sauk City is also a member of the oldest joint law enforcement agency in our state.

I am honored to be participating in Sauk City's sesquicentennial festivities, which will kick off with a parade through town, complete with horse-drawn carriages, old tractors, classic cars, and floats depicting life in Sauk City from 1854 to today. Residents will be able to see scenes of old school rooms and a quilting bee and veterans will be driving authentic military vehicles. The parade will conclude at August Derleth Park, where community members can view circus wagons from the Circus World Museum, see horses pulling a Leinenkugel Beer Wagon, watch cloggers, singers, jugglers, and Mexican and Latin-American dancing demonstrations. There will even be a beard contest and a hot dog-eating contest for those who feel particularly competitive. A fireworks display will conclude the festivities.

This celebration of 150 years for Sauk City demonstrates the strength of this closely-knit community and offers the promise of continued stability in the future.

CONGRATULATING MACARTHUR HIGH SCHOOL

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to congratulate MacArthur High School for receiving the Intel/Scholastic Twenty-First Century Schools of Distinction Award. Located in my district of Irving, Texas, MacArthur High School received the award announced yesterday by Intel Corporation. The school will receive a \$25,000 grant from the Intel Foundation, in addition to technology tools and assistance.

Mr. Speaker, this is truly an honor for everyone at MacArthur High School who participated in this highly competitive contest and chosen as one of two recipients as the "Best of the Best". Recipients were selected for their performance in comprehensive programs exhibiting excellence in the use of technology, parental and community involvement, professional development, teamwork and high academic standards.

Each student at MacArthur is issued a school-issued laptop and access to a co-op curriculum, which includes work study and advanced placement programs, as well as concurrent enrollment at a nearby college. Teamwork, leadership programs, experimental lab activities and interactive student presentations are just a few examples of how these students make learning an adventure. For the past four years, the school has received the state's highest academic rating.

It has been discussed on numerous occasions and in numerous venues that the United States will not be able to lead—or for that matter, successfully compete—in the global economy if we cannot put a stop to the continuing shortage of highly qualified scientific and technology brainpower in this country.

This award is of particular significance, as I have long championed the need for more emphasis in science and math education, particularly for young children. I believe these students and others like them will become tomorrow's leaders in the fields of science and technology. Showing students the importance and the value of the science and technology fields is a life long process. It cannot happen overnight. It begins here and now. I implore our community leaders to also encourage science education in young men and women.

I would like to commend the Intel Foundation and Intel CEO Craig Barrett for their leadership and commitment to this initiative. The additional contributions of their corporate partners should also be acknowledged.

Mr. Speaker, again, I congratulate the students, teachers, principals and parents of MacArthur High School on this distinguished honor.

TRIBUTE TO WALLACE FOWLER

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. BERRY. Mr. Speaker, I rise today to recognize a man who embodies philanthropy.

Wallace Fowler has worked for years growing the business communities of rural America. His successes are many, but it is his unabashed willingness to give back to his community that demands recognition.

Mr. Fowler was educated in Arkansas and has worked in The Natural State since the 1950's. Today, he serves as Chairman or vice-chairman for a half-dozen companies in Arkansas. He sits on several civic commissions, planning associations, and development councils. His list of honors is long and distinguished.

Blessed with an appreciation of local and rural business communities, Mr. Fowler has dedicated his life to growing rural America one business at a time. As Chairman of several local banks, he knows better than most how to give a helping hand when it's needed. More importantly he has learned rural America is capable of achieving its goals if given a chance.

He has been awarded most recently with the Arkansas State University (ASU) Indian Club's Distinguished Service Award, the Jonesboro, Arkansas, University Rotary Club's Vocational Excellence Award and ASU College of Business' Executive of the Year. These awards, along with the several others he has earned, are ample proof of his unrelenting drive and his strength of character; but they do not accurately depict his generosity.

On behalf of the Congress, I extend the utmost respect and thanks to a man who not only grew businesses and communities through his professional life, but also gave his personal time to the same goals. Mr. Fowler is a devout family man and a distinguished Arkansan and I am honored to recognize him, a great friend, in this Congress.

IN HONOR OF RAFAEL LÓPEZ

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. FARR. Mr. Speaker, I rise today to honor one of the great young leaders I have had the privilege to know and work with. Rafael López of Watsonville, California, will be leaving his post as founding Executive Director of First 5 Santa Cruz County to attend Harvard University and pursue a Master's degree in Public Policy and Administration.

Rafael is a native of Watsonville, where his family worked as migrant agriculture workers. One of the many noteworthy facts about his life is that he was the first in his family to graduate from both high school and college. Rafael graduated from Watsonville High School and attended Vassar College in New York and the University of California, Santa Cruz, where he earned a degree with honors in American Studies and was awarded a Distinguished College Service Award. Rafael's resume reflects his deep commitment to his community and our nation: an internship with a Member of Congress, staff member of the UCSC Chicano Latino Research Center; Coordinator for Residential Education at Merrill College, UCSC; working with groups such as the Community Action Board of Santa Cruz County, the El Andar Foundation, the Community Foundation of Santa Cruz County, the City of Watsonville, the County of Santa Cruz, the list goes on and on.

Most recently, however, Rafael has truly shown what it means to be a community leader. In 1999, he ran for a seat on the Watsonville City Council in a special election, and won with over 70 percent of the vote. At the time, Rafael was the youngest person in Watsonville's history to serve on the council, and he approached this position with a passion and commitment that reflected his love of his hometown. As in all things in his life, he felt called to serve his constituency to the best of his ability, and reached out to those he served in an unprecedented manner.

Shortly after his election victory he was tapped as the founding Executive Director of First 5 Santa Cruz County, a countywide program implemented through the passage of the California Children and Families First Act (Proposition 10). Once again Rafael rose to the challenge of working with and implementing a program aimed at serving children from zero to five years old and their families out of whole cloth. While the act itself does provide many specifications for how each county's commission would operate, it also provides the flexibility necessary for each commission to implement the act in a way that helps its constituency best. For Rafael and the commissioners, this included grant funding to large and small programs; countywide analysis with partners such as the United Way on the state of families and children in Santa Cruz County; and perhaps most groundbreaking is the upcoming implementation of guaranteed health care for all children from zero to eighteen. This last program has been the vision of many individuals and organizations in the county, and is the result of a unique and exciting partnership, but without a doubt Rafael's energy, focus and passion for this program shines through.

Mr. Speaker, there are few individuals who have left as large an impact on the Pajaro Valley and Santa Cruz County as Rafael López. I am honored to know him, and equally saddened to see him go. I would like to take this opportunity to wish him and his wife, Rosa Ramírez, all of the best in success and happiness as they enter this new stage in their lives.

REMEMBERING MR. CHARLES HAWKINS, NOTED BUSINESSMAN, COMMUNITY LEADER, NASHVILLE BENEFACTOR

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. COOPER. Mr. Speaker, I rise today to celebrate the remarkable life of Mr. Charles Hawkins of Nashville, Tennessee. Mr. Hawkins was a beloved figure in our community, recognized for his leadership in the business community, his enthusiastic and generous support to so many Nashville organizations and his constant willingness to offer a helping hand to anyone in need.

Charlie Hawkins was Nashville through-and-through. You might say it was a role in life he was simply born to do. His ancestors first called Nashville home in the 1860s, making Charlie, who was born there in 1932, the fourth generation in his family committed to building a greater Nashville for all.

Whatever Charlie did, he did with passion, loyalty and a commitment that was lifelong. He graduated from Montgomery Bell Academy in 1950 where we was named an all-city athlete in three sports. Years later, he would return to serve the school in many ways, including time spent on its board of directors. And Charlie's love of MBA went beyond his affection for the school itself. It was through MBA that he met the love of his life and his wife of 49 years, Lee Ann Allen Hawkins, the daughter of Howard Lee Allen, his high school coach.

From MBA Charlie went to Vanderbilt University and graduated in 1954. Charlie followed in the footsteps of his father and played baseball at Vanderbilt from 1952 to 1954. He became a star pitcher for the Commodores, celebrated as the first Vanderbilt pitcher to earn all-Southeastern Conference honors. His time on the Vanderbilt baseball team was just the beginning of his commitment to the sport, the Vanderbilt team and sharing his passion for the game with others. He donated \$2 million to Vanderbilt for the construction of new stadium for the Commodores which opened in 2002. Today, the Charles Hawkins Field is enjoyed by Nashville families and the university community alike, as well as being recognized as one of the best baseball stadiums in the South.

Charlie Hawkins was a generous financial supporter of the Vanderbilt Commodores but it was his generosity of spirit and daily support to the individual students on the team that was truly outstanding. He never missed a game. He rode on the bus with the team to away games. His daughter, Leslie, baked 'good luck' cookies for the team before every game. And his door at home was always open to any player in need of a home cooked meal or a little grandfatherly advice and support. As news of his recent battle with cancer became known, this year's Commodores rallied to his support. When his illness prevented his joining the team for one recent road trip, the team took the bus to Charlie, dropping by for a good luck send-off as they headed out of town. Even though he was not able to make some of the Commodores' final games this season, Charlie was there on the field with his team who had his initials added to their baseball caps. Clearly, Charlie inspired his beloved team. The Commodores finished the season with its best record ever, winning its first NCAA Regional title and its first appearance in an NCAA Super Regional.

Charlie Hawkins touched and helped Nashvillians in many walks of life. He founded one of the city's most respected real estate development companies, the Charles Hawkins Company. Headquartered in downtown Nashville, Charlie and his company were active in bringing new growth to the area in recent years. He served on the board of the Nashville Red Cross, the Fellowship of Christian Athletes, the Watkins Institute, Big Brothers of Nashville, the Junior League of Nashville and the Downtown Rotary of Nashville. He also served as President of the Nashville Board of Realtors and a member of the Metropolitan Port Authority. He was also a charter member of the Woodmont Christian Church where he served as an elder and Sunday school teacher. In addition for 20 years, he conducted church services at the Retired Teachers Home in his Green Hills neighborhood.

My hometown lost a very special friend with the recent death of Charlie Hawkins at the age

of 72. On behalf of the fifth district of Tennessee, I send my deepest condolences to Lee Ann Hawkins and to their four children, daughters Leslie, Mary, Julia Ann and son Bill. Charlie Hawkins' generous and joyful presence will be missed in Nashville but his spirit lives on in the many programs and individuals he inspired and supported every day.

CONGRESSIONAL TRIBUTE TO PAUL OLLILA

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to an outstanding educator in my district. Paul Ollila is retiring this year as the Superintendent of the Copper Country Intermediate School District (ISD), closing the final chapter of a career dedicated to the children of Michigan's Upper Peninsula. Mr. Ollila's 40 years as a teacher, administrator, and leader serve as a shining example of his profession.

Paul Ollila earned his bachelor's degree in social work/sociology and secondary education from Northern Michigan University in 1964. That same year, he began his career as a special education teacher and teacher consultant with the Adams Township School District. In addition to working with his own students, Mr. Ollila taught special education students throughout the Copper Country ISD.

In 1976, after twelve years as a teacher for both Adams Township Schools and the Copper Country ISD, Mr. Ollila was asked to become the Assistant Superintendent and Director of Special Education for the ISD. He accepted this position, and for the next 16 years, special needs students throughout the Copper Country benefited from his experience, leadership, and compassion.

In 1993, Mr. Ollila became the Superintendent of the Copper Country ISD. In this role, he has been responsible for delivering a range of services to school districts and their students. In addition to special education, the ISD assists school districts with compliance and coordination services, and provides a number of specialized programs for students. These include alternative education, outdoor education, career preparation, vocational education, gifted and talented programs, and health curriculum. The ISD also operates the outstanding Western Upper Peninsula Center for Science, Mathematics and Environmental Education.

Throughout his years as an educator, Paul Ollila has recognized the importance of ongoing education both for his own career, and for his ability to better serve his students. In 1966, he earned a Master's degree in special education/educational administration, and in 1989 he earned a Specialist's degree in educational administration, both from Northern Michigan University.

Mr. Speaker, Paul Ollila's service as a teacher and administrator has been outstanding, but it is even more remarkable when you consider the numerous leadership roles he has taken on at the state, Upper Peninsula, and local levels. In addition to taking leadership roles in various professional associations, Mr. Ollila has served on the State Special Education Advisory Committee, the UP Center

for Educational Development, Upper Great Lakes Education Technologies, Inc., the Copper Country Americorps, the Finlandia University Community Advisory Board, and the Copper Country Superintendents' Round Table to name just a few. Finally, there are three school districts in the Copper Country ISD without their own superintendent, and Mr. Ollila has served in this capacity whenever he was needed.

As much as he has given to his career though, Paul Ollila has always had time for his family. He has been happily married to his wife Joyce for 44 years, and together they have six children and 6 grandchildren. He is also an avid golfer and travel enthusiast.

Mr. Speaker, Paul Ollila's commitment to his family, his community, and the students of Michigan's Upper Peninsula serves as an example to all of us. I ask the House to join me in honoring him and thanking him for his service.

70TH ANNIVERSARY OF THE PASSAGE OF THE FEDERAL CREDIT UNION ACT

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today to commemorate the 70th anniversary of the passage of the Federal Credit Union Act. Recognizing that every credit union exists "for the purpose of promoting thrift among its members and creating a source of credit for provident or productive purposes," Congress passed the Federal Credit Union Act on June 26, 1934 and in so doing gave birth to the network of federal credit unions that continues to serve our nation's citizens today.

While federal credit unions have grown since 1934, their basic mission remains the same today as it was 70 years ago:

Federal credit unions now as they did then provide low cost financial services to their members; and

Federal credit unions now as then continue to emphasize their traditional cooperative values of democratic control and volunteerism.

The unique democratic spirit of credit unions is what sets them apart from other financial institutions. Seventy years after passage of the Federal Credit Union Act, federal credit union boards of directors are still elected democratically with every single member of the credit union (regardless of the amount of his or her savings) having an equal vote. What's more, the vast majority of credit union board members volunteer their time for the betterment of the credit union, without compensation of any kind.

Although credit unions are a very small segment of the financial services industry, that democratic spirit and sense of volunteerism has helped them grow over the course of the past seventy years to serve more than 85 million Americans. Today, credit unions serve as a viable, healthy alternative to other traditional providers of financial services.

Credit unions also continue to serve a growing number of people of modest means. By building branches in distressed neighborhoods absent other traditional financial institutions, credit unions have helped encourage entrepre-

neurship and improve access to basic financial services.

I commend the Nation's federal credit unions for the good work they have done for the last 70 years and the good work they will, no doubt, continue to do for the next 70 years.

CHILD NUTRITION AND WIC REAUTHORIZATION ACT OF 2004

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of S. 2507, the Child Nutrition and WIC Reauthorization Act of 2004, which both reflects—and improves upon—the bipartisan child nutrition bill we passed in the House on March 24 of this year.

Like H.R. 3873, the Child Nutrition and WIC Reauthorization Act will provide food security to more children and families than ever before, eliminate needless paperwork for program providers and place a renewed emphasis on obesity prevention through improved nutrition and greater exercise.

But—fortunately for America's children—S. 2507 goes further. It expands the popular Lugar summer food pilot to two additional states. It gives five states new authority to look at eliminating the "reduced price" category for school lunch. It establishes important new cost containment measures to ensure the integrity of the WIC program. And—perhaps most significantly for those of us interested in increasing participation rates among eligible children—S. 2507 provides mandatory funding for all schools to directly certify food stamp-eligible children for free school lunch by 2008—and greater flexibility for schools to verify income through third party sources like TANF and Medicaid. These measures take an important step towards eliminating at least some of the barriers that currently keep otherwise eligible children from accessing these critical programs.

Mr. Speaker, in closing I'd like to thank Chairman BOEHNER, our ranking member Mr. MILLER, Mr. CASTLE and Ms. WOOLSEY—along with Senators COCHRAN and HARKIN—for all of their hard work on this important legislation. I think we can all be proud that—at least on this issue—we have done the people's work.

PERSONAL EXPLANATION

HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. BAIRD. Mr. Speaker, on Friday, June 18, 2004, I was unable to participate in legislative business due to an important, long-standing commitment in my district. Had I been present for legislative business on June 18, 2004, I would have voted "yea" on House Amendments 580, 581, 585 and 592; and would have voted "nay" on House Amendments 578, 583, 584, and 589.

In addition, Mr. Speaker, I would have voted "yea" on final passage of H.R. 4567, the Fiscal Year 2005 Homeland Security Appropriations Act.

HONORING THE LIFE OF GUAM'S FIRST CHAMORRO TERRITORIAL LIBRARIAN: MAGDALENA "MAGGIE" SANTOS TAITANO

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Ms. BORDALLO. Mr. Speaker, I rise today to honor the memory of Magdalena "Maggie" Santos Taitano, Familian Oncho, who passed away on June 17, 2004. I also extend my deepest sympathies and prayers to her family and friends.

Maggie was born on July 1, 1928. She was married to the late Guam Senator Richard Flores Taitano, and was mother to Taling Maria, Richard Jr., John Joseph, and Carmen Teresita. She was also a grandmother, great-grandmother, wife, sister, auntie, godmother, and friend. A devoted mother and wife, Maggie was also a religious person who demonstrated her commitment to her community through her involvement in various civic organizations. She was active politically as well, and recognized the importance of protecting Guam's heritage and history for future generations.

This belief was reflected in her passion for the library sciences, an interest Maggie first developed while working in a library while still in high school. After graduating from George Washington High School in 1950, Maggie began working as a library assistant at the Guam Public Library. From there, Maggie pursued higher education, receiving a full scholarship to attend Mount Mary's Catholic College in Milwaukee, Wisconsin, where she received her Bachelor's in business administration. She continued her studies at Texas Women's University in Denton, Texas, becoming the first Chamorro to earn a Master's degree in library sciences.

Maggie then returned home to begin a distinguished career in service to the people of Guam. In 1960, she became the first Chamorro Territorial Librarian of the Guam Public Library—later renamed the Nieves M. Flores Memorial Library. Some of her achievements included instituting the Summer Reading Program, the Saturday Storytelling Program, the Pacific Area Collections, and making the library more accessible to the community. Although Maggie retired in 1987, she could not stay away from the library for long, returning to serve part-time at the University of Guam's Robert F. Kennedy Memorial Library. She later transferred to the Micronesian Area Research Center (MARC) where she had a prominent role in putting together the papers of public officials, including those of my husband, the late Governor Ricardo Bordallo. It was fitting that in 1997, MARC was renamed the Richard F. Taitano Research Center in honor of the institution's creator, her late husband.

I have been blessed to also call Maggie a friend. We first knew each other in high school, and I was honored to be Godmother to her daughter Carmencita. Our husbands were also running mates in the 1970 Gubernatorial election, running on the slogan "A New Day for Guam." I am deeply saddened by Maggie's passing, but know that she has left behind a legacy that will be treasured for generations to come.

OHIO NUTRITION AND WIC
REAUTHORIZATION ACT OF 2004

SPEECH OF

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2004

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise to give my enthusiastic support to S. 2507, "The Child Nutrition and WIC Reauthorization Act of 2004".

In January of this year, I urged the Committee on Education and the Workforce to include in this Reauthorization Act provisions to authorize fruit and vegetable pilot programs for the Women, Infants and Children (WIC) Nutrition Program.

The bill expands this program as well as the Summer Food Service Program. It also provides training and technical assistance to schools in program administration and targets benefits to low-income children.

The passage of this bill today is truly a landmark achievement, as it represents the most extensive amendments to the Richard B. Russell National School Lunch Act (NSLA) and the Child Nutrition Act of 1966 (CNA). This legislation reauthorizes national school lunch and breakfast, child and adult care food, after-school snack, summer food service and special supplemental nutrition programs for (WIC), among others.

The bill also amends the Commodity Distribution Reform Act and WIC Amendments of 1987 and the Food Stamps Act of 1977 to streamline applications for school meal program benefits. It does so by establishing agreements between State Food Stamp Agencies and School Food Authorities.

Like my colleagues, I believe it is critical that our Nation's children have access to healthy and nutritional foods while attending school. The pilot program provided in this bill makes this possible.

Mr. Speaker, we are all well aware that childhood obesity is a major health issue in this Nation that must be addressed. Our children deserve to have healthy choices for their breakfast and lunch meals. For many of our children these meals are the only nutritionally complete meals they will eat throughout the week.

According to the Centers for Disease Control (CDC) and the National Center for Health Statistics (NCHS), an estimated 15 percent of children and adolescents ages 6–19 years were overweight in 1999–2000. This represents a 4 percent increase from the previous 1988–1994 estimates. Passage of this bill represents bipartisan and bicameral efforts to benefit the children of our country.

I firmly believe that this is the right bill at the right time for America's women and children.

IN MEMORY OF U.S. ARMY
PRIVATE VAN RYAN MARCUM**HON. MIKE ROSS**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. ROSS. Mr. Speaker, I rise today to honor the life of U.S. Army Private Van Ryan Marcum. Ryan passed away on June 19, 2004

during a training accident in Ft. Benning, GA. He was just 21 years old and a native of my hometown, Prescott, AR.

Upon graduation from high school, Ryan enlisted in the U.S. Army and was qualified for the elite Rangers program. Those who knew Ryan well say he was extremely intelligent, resourceful and determined. He had a love of flying and this passion drove him to become an airborne ranger.

Ryan enlisted for full time service in the U.S. Army where he received the Army Good Conduct Medal, the National Defense Service Medal, and the Army Service Ribbon.

My heartfelt condolences go out to Ryan's family. We have a lost a brave young man and his legacy will live on through those who knew him well and counted him as a friend.

CELEBRATING THE LIFE OF MICH
OKA ONUMA**HON. NANCY PELOSI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Ms. PELOSI. Mr. Speaker, I rise today to honor the exemplary life and accomplishments of Michi Oka Onuma, a native San Franciscan who died peacefully at the age of 96 on May 15, 2004. Michi Onuma represented the best of San Francisco. She was a talented leader with a generous heart. She will be greatly missed.

Michi Onuma overcame many obstacles in her life. Graduating from the University of California at Berkeley in 1931, she was one of the few women college graduates of her generation of Japanese Americans. She managed as a single parent at a time when divorce was taboo. She overcame the prejudice that came with being Japanese American, including suffering interment, along with 120,000 fellow Japanese Americans, during World War 11.

During her long life, Michi Onuma had various careers, including as a social worker and a community newspaper reporter and editor. She never fully retired, working well into her eighties before cancer slowed her down. Fortunately, she recovered and remained vital and engaged until the end.

In the process of raising a family and having a career, Michi helped build and sustain community institutions that continue to flourish today. Michi Onuma persuaded the inaugural board of directors of the Japanese Community and Cultural Center of Northern California to build a community center. Michi Onuma was on the YWCA board in its early days when foresighted first generation Japanese American women raised funds to purchase a building for community use in perpetuity. Since these women were not allowed to own property outright, they left the property in trust with the YWCA organization with the understanding that the YWCA would follow their wishes. When the YWCA went back on its promise, Michi Onuma provided the historical documentation needed to negotiate the return of the YWCA into community hands. Nihonmachi Little Friends, a child care center serving the Japanese American community, is now the proud owner of the building.

Other recipients of Michi Onuma's leadership included organizations that she founded such as the Red Dots, a community golf club;

the Japanese Women's Alumnae Association at UC Berkeley; and Satsuki Kai, a Japanese wives group. Michi received a star on the Walk of Fame on Gene E. Suttle Plaza in 2003 for her work in the Western Addition of San Francisco, especially during the upheaval that redevelopment caused in the Japanese and African American communities in the late 1950s. She was also honored as a women warrior by the Pacific Asian American Women Bay Area Coalition as a symbol of what strong women can accomplish.

Michi Onuma was a visionary, a pioneer, and a strong leader who had a lasting impact on San Francisco. We are grateful to have had her with us for so long.

H.R. 4715, THE SPECTRUM
ACCOUNTABILITY ACT**HON. JIM NUSSLE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. NUSSLE. Mr. Speaker, I come before the House today to introduce H.R. 4715, the Spectrum Accountability Act, which supports the adherence to sound principles of spectrum auction management, particularly the use of competitive bidding. This bill addresses the requirement for spectrum auctions and the need for the efficient management of this finite resource. The competitive bidding process has already shown us that a fair market value is best attained through the use of competitive bidding.

At present, there is a disagreement over the proper statutory application of the Federal Communications Commission's requirement to conduct spectrum auctions. There are some who suggest that current communications law is unclear as to when an auction is required. This bill reaffirms the obvious intent of Congress to use the auction process and competitive bidding for the grant of commercial spectrum, and clarifies when the auction requirement is applicable.

Congress has a duty to efficiently manage Federal resources. This duty is the same whether the resource is actual taxpayer dollars or public assets, such as electromagnetic spectrum, which are held by the Government. While it is the Federal Communications Commission's role to handle the operational aspects of spectrum management, this function must be carried out as prescribed by communications law. Congress was quite clear that auctions and the competitive bidding process provide the most efficient and appropriate means for spectrum management; this bill will dispel any remaining misconceptions on the matter.

DEPARTMENT OF HOMELAND SE
CURITY APPROPRIATIONS ACT,
2005

SPEECH OF

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 2004

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R.

4567) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes

Mr. GRIJALVA. Mr. Chairman, I wish to state for the record my vehement opposition to this amendment.

This amendment purports to deny funds to any state that permits undocumented immigrants to obtain driver's licenses or other "comparable" identification documents and to deny funds to any state or local government that has passed a policy that limits disclosure of immigration status to federal authorities.

Withholding funds from local governments and from our frontline first responders in local level would undermine their effectiveness in a critical mission.

Local law enforcement authorities across the country have made it clear that if the federal government abrogates their responsibility and forces them to take on what is a federal obligation with regard to immigration enforcement, this will be an unfunded mandate, depleting critical resources of time and funding.

The effectiveness of local law enforcement, and our safety, depends on their being able to count on cooperation from their neighbors, regardless of their immigration status. When local authorities are perceived as immigration enforcers, immigrant communities, who may have critical information with regard to homeland security, will be very reluctant to cooperate or even speak with law enforcement.

Due to unfunded mandates and a neglect of real security needs at the local level, municipal governments and local police are already strained, and this amendment would increase that strain.

This would undermine homeland security, and the safety of immigrants themselves. In particular, victims of domestic violence would have to decide whether they are willing to risk deportation before seeking help from authorities.

This amendment would undermine security for all who reside in this country, and the safety of immigrants in particular. Immigrants who are victims of domestic violence would have to decide whether they are willing to risk deportation before seeking help and reporting abuse to authorities.

The provision withholding federal funds from states that permit undocumented immigrants to obtain driver's licenses or other "comparable" identification documents is similarly nonsensical and counterintuitive.

I would think that those who rail against the presence of the undocumented in this country would welcome the opportunity to increase safety by allowing those who are undocumented to be identified by authorities. Allowing undocumented immigrants to obtain forms of identification would make the job of law enforcement easier, and allow immigrants access to necessary basic services such as opening a bank account. All other things being equal, it would be better to have more of the people who are in this country identified and to have as many drivers as possible obtain a proper license. Both of these conditions would contribute to increased public safety.

This amendment is an attempt to blackmail local governments into following an agenda that would endanger their safety, by threatening to take away critical resources. The States that would suffer the most from passage of this amendment include my own state

of Arizona as well as Alaska, California, Colorado, Washington, DC, Hawaii, Idaho, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Utah, Washington, and Wisconsin.

I find it outrageous that a member of this body would suggest withholding critical funds, from programs such as the State Criminal Alien Assistance Program, Byrne grants, and many others, just to impose an extreme personal view about what local governments should be doing. This is not the time for zealots to push unfunded mandates through bills providing for the security of us all.

PAYING TRIBUTE TO JOHN DAVID REYNOLDS, III

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. FORD. Mr. Speaker, today I rise to acknowledge John David Reynolds, III of Memphis, Tennessee, in his dedication to service in his community. On Wednesday, June 16th, I joined John at the America's Promise to our Youth Inaugural Gala in Washington.

Founded in 1997 after the President's Summit for America's Future, America's Promise helps bring together communities to improve children's lives by making five promises. The five promises are: (1) ongoing relationships with caring adults—parents, mentors, tutors or coaches; (2) safe places with structured activities; (3) a healthy start and future; (4) marketable skills through an effective education; and (5) opportunities to serve through community service.

Given John's commitment to his peers and to community service, we owe it to him to fulfill these promises. To that end, I was pleased to join with America's Promise in making a down payment on those promises by presenting him at the gala a scholarship for post-secondary education.

He stands among his peers as a leader within their eyes and inspires them to reach within themselves to accomplish their goals. Therefore, it is appropriate to recognize his accomplishments before this body of Congress and this Nation.

John is a graduate of Kingsbury High School, where he took on many leadership roles. He was elected to student office in: FCCLA, President; BPA, Vice President; and DECA, President for the 2003–2004 school term. As an active member of all three chapters, he attended Peace Jam at Rhodes College in the Spring of 2004 and met with Nobel Peace Laureate Rigoberto Menchu Tum. During his time at Peace Jam, his FCCLA Chapter presented their own peace plans with over 20 other schools.

In BPA, John taught elementary school students computer basics and data entry skills, helping them prepare for junior high school. As a secondary project, he also helped the Memphis Food Bank with food drives and sorting food.

In DECA this John was part of an effort to collect 10,000 Pennies for Penguins in a drive for Le Bonheur Children's Hospital. The organization conducted a fashion show where they

collected \$700 for St. Jude Children's Research Hospital. John also participated in the creation of the "Johnville Project." This project was used to teach middle school students the importance of budgeting money, self-worth, and achieving goals.

I would also like to commend John for his accomplishments in numerous FCCLA, BPA, and DECA competitions. John placed second at FCCLA Regional and State BPA, and went to Nationals in DECA. He used each point as a stepping stone to improve upon his project, which took an entire eight months of diligent effort. In addition, he focused on creating a fitness center dedicated to improving the mental and physical health of teens.

Mr. Speaker, I wish to commend John David Reynolds for his tireless efforts to enrich the lives of the people in his community. Through his ability to confront challenges, and challenge others, he has become a leader among his peers. I commend him for his achievements and ask my colleagues to join me in paying tribute to him in the U.S. House of Representatives.

IN RECOGNITION OF KATHY MCCARTHY FOR HER YEARS OF PUBLIC SERVICE

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. GREEN of Wisconsin. Mr. Speaker, today before this house I would like to honor and recognize Kathy McCarthy for her hard work and dedication to the citizens of Wisconsin's Eighth Congressional District. After serving 14 years in both my office and that of former Congressman Toby Roth, Kathy has chosen to retire and pursue new endeavors outside of federal service.

Kathy McCarthy began her career in public service as a staff assistant and office manager with Congressman Roth. In that time she fulfilled a number of vital roles and coordinated numerous projects, including casework duties and student nominations to the United States Service Academies. During her tenure with Congressman Roth, Kathy earned the reputation of being a fierce advocate for constituents, and an indispensable member of the office.

After joining my staff in 1999, Kathy's expertise and acute understanding of casework issues proved vital in getting my office up and running. She was able to successfully assist thousands of constituents in navigating the maze of federal agencies, helping folks receive all the benefits and services they deserve.

Mr. Speaker, it is my pleasure to recognize my friend Kathy McCarthy for her years of dedicated public service. My constituents, my staff and I are sad to see her go, but we are consoled by the fact that Kathy will soon be enjoying a long retirement with her family. From the bottom of my heart I say thank you, and wish her all the best in retirement.

OPPOSING THE FISCALLY IRRESPONSIBLE REPUBLICAN BUDGET PROCESS LEGISLATION

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. STARK. Mr. Speaker, I rise in strong opposition to H.R. 4663, the so-called Spending Control Act of 2004. This bill is another shameless attempt by the Republican majority to shove their radical, right wing agenda down the throats of the American people. What are they going after this time? Medicare and Social Security. And what are they trying to protect? Tax cuts.

What a surprise. What a surprise that the Republicans would put tax cuts over Medicare and Social Security. I guess it shouldn't surprise us anymore.

This bill purports to be a budget bill. It is supposed to set up rules to restrain spending and reduce the national budget deficit. That's a worthy goal. Too bad the bill doesn't advance us toward that goal. One provision which purports to advance this goal is the pay-as-you go (PAYGO) rule. Under such a plan, any new spending on one program must be paid for by a reduction in spending from another. Such a rule is problematic. Under this plan, if I want to add an important benefit to the Medicare program, I must cut spending elsewhere in the Medicare, or in some other vital program like Medicaid or the State Children's Health Insurance Program. In this time of huge budget deficits, I know we must control our spending habits. But robbing Peter to pay Paul makes no sense when we are talking about the health and well being of our fellow citizens.

That said, I would have no problem supporting PAYGO rules for mandatory spending if the Republicans made them apply to tax cuts as well. But guess what? Under this proposal, tax cuts would be exempt from the PAYGO rules! In other words, we have to eliminate programs to add something to Medicare, but the Republicans can cut taxes until the cows come home! The Republicans could therefore pass another huge tax cut for millionaires without replacing the lost revenue with spending cuts. This then leads to huge deficits because of the exponentially widening gap between spending and revenue. Does this make any sense at all? Of course not!

What makes this bill worse is the fact that increasing mandatory spending for programs like Medicare cannot be paid for by closing tax loopholes and increasing revenue by charging taxpayers what they really owe. For example, if I proposed legislation to fill in the doughnut hole in the Republican prescription drug benefit, I could not pay for that expanded benefit by closing corporate tax loopholes that effectively allow most corporations to go untaxed. In fact, a report by the General Accounting Office found that, on average, 61 percent of all U.S. corporations reported no tax liability between 1996 and 2000. But under this budget legislation we couldn't make a single one of those corporations pay the taxes they owe so that I could provide Medicare beneficiaries the prescription drug benefit they deserve.

Not so many years ago we enjoyed a projected \$5.6 trillion surplus that could have put a huge dent in our national debt, or paid for

health insurance for the 44 million uninsured in this country. Since the original PAYGO rules expired and the Republicans started cutting taxes for their wealthy friends, that surplus has turned into a \$2.9 trillion deficit, which will push our total debt over \$9 trillion. Who do you think is going to pay for that debt if we fail to reinstate PAYGO rules that work? You and I will not foot the bill for this irresponsible policy. Our children, grandchildren and great grandchildren will.

This bill is another colossal mistake which the Republicans want to inflict on our country. I urge my colleagues to support the Spratt substitute, which applies PAYGO to both spending and tax cuts, and to vote against this one-sided Republican bill.

SMALL COMMUNITY OPTIONS FOR REGULATORY EQUITY ACT

HON. C. L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. OTTER. Mr. Speaker, I rise today to introduce the Small Community Options for Regulatory Equity Act. Rural communities across my state and elsewhere are being unfairly burdened by Environmental Protection Agency regulations that have questionable benefit.

While we all want to ensure a clean, safe drinking water supply for our communities, we must remember that fiscal restraints sometimes require tradeoffs and accommodations. Many small communities believe that EPA regulations will do more harm than good by wasting limited public health funds complying with standards that do little to advance the interests of public health.

For those of you who may have forgotten the arsenic debate of just a few years ago, let me refresh your memory. The Safe Drinking Water Act was used in the past to clean up pollution caused by previous business practices. Now the EPA is using the act to clean up Mother Nature herself. Arsenic is a naturally occurring component in the soil and water of many Western states, including Idaho. Using questionable science, the EPA has committed to ensuring all domestic water systems meet the arbitrary 10 parts-per-billion standard for arsenic—no matter how small those systems are. This is down from the 50 parts-per-billion standard set in 1975.

When the Safe Drinking Water Act was passed, Congress provided flexibility for EPA to determine whether it is economically or technologically feasible to obtain a certain level of reduced contamination. Essentially, the act states that if it's too expensive, smaller systems simply need to get as close to the standard as they reasonably can. Unfortunately EPA has decided not to use that flexibility. EPA has determined that paying \$1,000 per year per user for the smaller water systems to meet the arsenic standard is affordable.

We know that many of our rural communities have low-income residents who make difficult decisions each month. They must choose which bills to pay and which to put off. These folks aren't worried about the cable bill; they're worried about being able to cover their heat, food, power and even prescription drug

costs every month. And when faced with those choices, they'll choose to pay their water bill first. But the EPA—in its infinite wisdom—has decided to place a higher priority on marginal reductions in arsenic level than such basic needs as food and shelter.

That is unacceptable, which is why I am introducing legislation today to allow small and rural communities, those under 10,000 in population, to choose whether they want EPA to enforce regulations on naturally occurring contaminants. If the eligible community determines it is too costly to comply with the rule it can request an exemption from the regulation, which EPA must grant.

No one is talking about removing all the arsenic from the water. We are talking about removing parts per billion, which is removing a very small amount of something that is barely even there. There is no bright line of concentration at the parts-per-billion level beyond which arsenic becomes unsafe. EPA views 9.9 parts-per-billion as safe and 10.1 as unsafe, despite the fact that there is little health difference between such small differences. EPA can't determine how much arsenic ingestion above the federal standard is harmful. While EPA has said that arsenic concentrations above its standard don't necessarily present an unreasonable risk to health, concentrations above 10 parts-per-billion do create a significant financial burden for small communities.

This mandate doesn't consider the unintended consequences and it can't balance competing local priorities. Local communities are in the best position to determine where their scarce resources need to go. EPA is not going to the communities and suggesting ways they can comply or technology they can use. Rather than being a good partner, EPA is once again just an enforcer, and is waiting until 2006 to impose fines on communities that are not in compliance. Such one-size-fits-all government "solutions" do nothing to make the water cleaner. They only provoke bitterness and stifle cooperation.

One small community in Idaho already has had to lay off its only police officer in order to afford studies and other requirements related to complying with the arsenic regulation. Now we are asking people to choose between real public safety and a theoretical health benefit. Further compounding the problem for this rural community, the EPA recently denied its request for a compliance extension, as provided for in the agency's own regulation. Community leaders know they can't comply by 2006 and are trying to do the right thing—but EPA refuses to help them.

We are supposed to have a democratic process here in the United States. In this case, the EPA is overriding the will of local citizens. I believe it's time to put the power back into the hands of those most impacted to determine what truly is best for them.

I remain concerned that this regulation will have very adverse economic impacts on thousands of rural communities across the nation, without addressing legitimate human health concerns. Since there is no economically feasible way for small communities to meet this standard and the standard may result in no health benefits, I support allowing each eligible rural community to decide whether to comply. I encourage you to join me in cosponsoring the Small Community Options for Regulatory Equity Act

PERSONAL EXPLANATION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. McDERMOTT. Mr. Speaker, I missed some votes on June 23rd and June 24th, 2004. Had I been able to, I would have voted:

June 23—"No" on the Boehlert amendment to H.R. 4548 (rollcall vote No. 291); "No" on the Johnson amendment to H.R. 4548 (rollcall vote No. 292); "No" on the Rogers amendment to H.R. 4548 (rollcall vote No. 293); "Yes" on the Shays amendment to H.R. 4548 (rollcall vote No. 294); "Yes" on the Kucinich amendment to H.R. 4548 (rollcall vote No. 295); "Yes" on the Simmons amendment to H.R. 4548 (rollcall vote No. 296); "Yes" on the Reyes amendment to H.R. 4548 (rollcall vote No. 297); "No" on the Johnson amendment to H.R. 4548 (rollcall vote No. 298); "Yes" on the motion to recommit H.R. 4548 (rollcall vote No. 299); "No" on final passage of H.R. 4548 (rollcall vote No. 300).

June 24—"Yes" on H. Res. 685 (rollcall vote No. 301); "No" on the previous question (rollcall vote No. 302); "No" on the rule for H.R. 4663 (rollcall vote No. 303); "Yes" on H. Res. 676 (rollcall vote No. 304); "No" on the Brady amendment to H.R. 4663 (rollcall vote No. 305); "No" on the Chocola amendment to H.R. 4663 (rollcall vote No. 306) "No" on the Castle amendment to H.R. 4663 (rollcall vote No. 307); "No" on the Hensarling amendment to H.R. 4663 (rollcall vote No. 308); "No" on the Hensarling amendment to H.R. 4663 (rollcall vote No. 309); "No" on the Kirk amendment to H.R. 4663 (rollcall vote No. 310); "No" on the Ryan amendment to H.R. 4663 (rollcall vote No. 311); "No" on the Ryan amendment to H.R. 4663 (rollcall vote No. 312); "No" on the Ryan amendment to H.R. 4663 (rollcall vote No. 313); "Yes" on the Spratt substitute to H.R. 4663 (rollcall vote No. 314); "No" on the Hensarling substitute to H.R. 4663 (rollcall vote No. 315); "No" on the Kirk substitute to H.R. 4663 (rollcall vote No. 316); "Yes" on the motion to recommit (rollcall vote No. 317); "No" on final passage of H.R. 4663 (rollcall vote No. 318); "No" on H. Res. 691 (rollcall vote No. 319).

— "A HERO WALKED AMONG US" —

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. FRANK of Massachusetts. Mr. Speaker, last Sunday, the people of Massachusetts, and particularly of the town of Sharon in my Congressional district, lost a great priest to illness. Father Robert Bullock exemplified the virtues of the priesthood. He was a wise, loving, kind man of great compassion and unimpeachable integrity. His death at 75 saddened all who knew of him and indeed all who knew of his great work. On Tuesday, June 22, the Boston Herald published a pithy but profound editorial about the death of this wonderful priest and I ask that it be reprinted here.

[From the Boston Herald, June 22, 2004]

A HERO WALKED AMONG US

Heroes come in many forms, often shaped by their times.

The Rev. Robert W. Bullock, who died this weekend at age 75, had been an everyday kind of hero for a very long time. A chaplain at Brandeis University and later a parish priest in Sharon, he forged lasting ties with the Jewish community, visiting Israel, writing on the Holocaust and speaking out against anti-Semitism.

But when the scandal of clergy sexual abuse broke, Father Bullock went from quiet hero to noisy and courageous critic of the church hierarchy and Bernard Cardinal Law in particular. He headed the Boston Priests Forum, which called on Law to step down in December 2002.

His was a courage born of faith, the kind of courage that will truly be missed around here. But the inspiration that his life was lives on.

PERSONAL EXPLANATION

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mrs. JONES of Ohio. Mr. Speaker, I ask unanimous consent that the following statement appear in the appropriate place in the CONGRESSIONAL RECORD behind the votes for Thursday, June 24, 2004: unfortunately, I was unavoidably detained. Had I been present for the recorded Rollcall votes Nos. 301–319, I would have voted in the following way:

No. 301, H. Res. 685—Resolution offered by Mr. OBEY of Wisconsin revising the concurrent resolution on the budget for FY 2005. I would have voted "yes."

No. 302, On ordering the previous question providing for consideration of the bill H.R. 4663. I would have voted "no."

No. 303, Rule providing for consideration of H.R. 4663—Pay-as-you-go Budget Enforcement bill. I would have voted "no."

No. 304, H. Res. 676—40th Anniversary of passage of the Civil Rights Act of 1964. I would have voted "aye."

No. 305, Brady/Turner Amendment to establish a Commission on Elimination of Federal Agencies. I would have voted "no."

No. 306, Chocola Amendment to replace the 20 budget functions with a one page budget that divides spending into 5 categories. I would have voted "no."

No. 307, Hastings/Castle amendment to eliminate the requirement to include 20 budget functions and replace it with 4 basic pieces of budget data. I would have voted "no."

No. 308, Hensarling #11 Amendment setting yearly caps on total entitlement spending. I would have voted "no."

No. 309, Hensarling #12 Amendment which would have provided for an automatic Continuing Resolution if spending bills are not passed by the beginning of the fiscal year. I would have voted "no."

No. 310, Kirk Amendment which would require the CBO to report by February 15 on spending priorities exceeding projections. I would have voted "no."

No. 311, The Ryan (WI)/Gutknecht amendment converting the concurrent resolution on the budget into a joint resolution. I would have voted "no."

No. 312, Ryan (WI)/Neugebauer on the lock box approach to budget savings. I would have voted "no."

No. 313, Ryan (WI)/Stenholm/Castle—an amendment providing for expedited rescissions. I would have voted "no."

No. 314, Spratt Substitute—To extend the PAYGO requirement through September 30, 2009. I would have voted "yes."

No. 315, Hensarling Substitute which sets yearly caps on total entitlement spending. I would have voted "no."

No. 316, Kirk Substitute—Caps spending on all entitlements other than Social Security, medicare and Railroad Retirement. I would have voted "no."

No. 317, Motion to Recommit—The Stenholm motion would restore the Pay-as-you-go law requiring both taxcuts and spending be paid for. I would have voted "yes."

No. 318, Final Passage of H.R. 4663—Pay-as-you-go Budget Enforcement bill. I would have voted "no."

No. 319, H. Res. 691—Congratulating the interim government of Iraq on its assumption of full responsibility and authority as a sovereign government. I would have voted "yes."

SUPPORTING NEARLY 200,000 AMERICANS WORKING TO SECURE, RECONSTRUCT AND ESTABLISH STABILITY IN IRAQ

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Ms. McCOLLUM. Mr. Speaker, I rise today to support the nearly 200,000 American servicemen and women, civilian government officials and private contractors working to secure, reconstruct and establish stability in Iraq. Their collective service and sacrifices, and the sacrifices made by their families in their absence, are to be honored and profoundly respected.

The brave and proud people of Iraq also deserve to be recognized for enduring a very difficult and often violent transition from brutal authoritarian rule to the beginnings of self-rule. There remains years of work ahead by the Iraqi people and their journey will be difficult and bloody, but the path to an open, stable and prosperous Iraq now lies ahead of them.

The current situation in Iraq and the June 30, 2004 transfer of limited sovereignty requires U.S. policy makers and elected leaders to examine the very difficult reality of today and tomorrow with determination and honesty, rather than the best-case planning and irrational optimism that has plagued the occupation for the past twelve months. The U.S. occupation will continue on July 1, 2004 and tens of thousands of Americans remain working in a very dangerous war zone for an indefinite number of months or years.

Today, over one hundred Iraqis and three American soldiers were killed in a series of coordinated attacks across Iraq. Hundred more Iraqis were seriously wounded. Yet, today in this House we debate House Resolution 691 which calls for the American people to "celebrate the restoration of freedom in Iraq" with the June 30th transfer of authority. The absurdity and contradiction between the reality in Iraq and this resolution's call for Americans to celebrate in the face of a murderous day and difficult days, months and years ahead is something I cannot support.

Iraq is a war zone, where guerilla-style attacks take place everyday and our troops operate in an extremely hazardous environment.

There is a phenomenal amount of work that still needs to be done before Iraq and the world can celebrate sovereignty.

Mr. Speaker, I know the people of Minnesota honor the service of tens of thousands of brave Americans serving in Iraq with their thoughts and prayers every day, as do I. We also share in the mourning with the families of service men and women who have died in Iraq. We support the men and women who have come home wounded and need support and time to heal. We witness the tragic deaths of Iraqi women, men and children and feel anguish at the unending violence.

Mr. Speaker, this is no time for the American people or the people of the world to celebrate as House Resolution 691 urges. On July 1, 2004, the first step toward Iraqi autonomy will be taken and the long and difficult path to peace, security and hope begins. It is at the end of this path—when Iraqi sovereignty does not require 140,000 U.S. troops to support it and when peace is real and the Iraqi people are celebrating their own freedom from occupation and violence—that the Congress, the American people and the world should join them in the celebration.

We should be planning for success in Iraq, not planning for a celebration.

THE 2004 INTERNATIONAL DAY IN SUPPORT OF VICTIMS OF TORTURE

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. MARKEY. Mr. Speaker, tomorrow we will observe the seventh International Day in Support of Victims of Torture. The date June 26 is no accident: it was on June 26, 1987 that the International Convention Against Torture came into effect, and on June 26, 1945 the United Nations Charter was signed. Tragically, torture and other severe human rights abuses continue in many countries around the globe to this day.

Even more tragically, the world has seen in the past few months that the United States is not as firmly placed as it should be among those nations that abhor and fully reject torture. The prison abuses at Abu Ghraib have disappointed all Americans. Although President Bush has asserted that "the values of this country are such that torture is not a part of our soul and our being" much of the world remains skeptical about the Bush administration's commitment to repudiation of torture in light of the recent revelations about internal administration legal memoranda which attempted to carve out broad exemptions from domestic and international prohibitions on torture based on the Presidential power as Commander-in-Chief.

While the Abu Ghraib revelations were appalling, there is another practice going on right now which merits equal attention, and that is the outsourcing of torture by this administration. Under a practice known as "extraordinary rendition," the CIA delivers terrorism suspects in U.S. custody both domestically and abroad to foreign governments known to use torture for the purpose of interrogation. This extra judicial practice has received little attention because of the great secrecy with which it oc-

curs. Attention was drawn to the practice in September 2002 when Maher Arar, a Canadian citizen, was seized while in transit to Canada through JFK airport, and sent to Jordan and later Syria at the request of the CIA. While in Syria, Arar was tortured and held in a dark, 3-by-6-foot cell for nearly a year. He was ultimately released and detailed his story to the media upon his return to Canada.

In October 2002, outgoing CIA director George Tenet testified to the 9/11 Commission that over 70 people had been subject to extraordinary rendition before September 11, 2001. The numbers since then are classified. Human rights organizations including Amnesty International, Human Rights Watch, the Center for Constitutional Rights and the ACLU have detailed numerous cases of extraordinary rendition and are pursuing litigation in some of them. On June 21, the Canadian government launched an investigation into Arar's case.

This practice is inconsistent with U.S. and international law and is a moral outrage. It must be stopped. If the Bush administration continues to permit this sort of outsourced, third-party torture, it is more likely that our own troops in Iraq could be subject to the same type of brutal treatment. I have recently introduced legislation, H.R. 4674, that directs the State Department to compile a list of countries that commonly practice torture or cruel, inhumane or degrading treatment during detention and interrogation, and prohibits rendition to any nation on this list, unless the Secretary of State certifies that the nation has made significant progress in human rights. The bill explicitly permits legal, treaty-based extradition, in which suspects have the right to appeal in a U.S. court to block the proposed transfer based on the likelihood that they would be subjected to torture or other inhumane treatment.

Extraordinary rendition to countries known to practice torture amounts to outsourcing torture. It is morally repugnant to allow such a practice to continue. H.R. 4674 is designed to ensure that we not only ban torture conducted by our own forces but we also stop the practice of contracting out torture to other nations. Torture enabled by extraordinary rendition is outrageous and could expose our own forces to the same type of treatment.

It is also deeply foolish of the Bush administration to allow any questions to be raised as to America's rejection of torture. Quite simply, actions such as those at Abu Ghraib and the ongoing practice of extraordinary rendition endanger American soldiers and civilians who may be captured in Iraq, Afghanistan or elsewhere. By failing to firmly bar methods of torture with U.S. detainees, the Bush administration has increased the likelihood that Americans overseas will be tortured or subjected to inhumane treatment.

BALKAN ORGANIZATION FOR NATIONAL FINANCIAL DEVELOPMENT

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Mr. CANNON. Mr. Speaker, I rise today to recognize the establishment of a new and innovative non-profit foundation whose sole ob-

jective is to rationalize and accelerate the transition of the Balkan countries to full market economies. The purpose behind the Balkan Organization for National Financial Development (BONAFIDE) is the promotion of U.S. investment in the region by facilitating the harmonization of the ethics, laws and regulations governing business, investment and the financial markets in these countries with those of the United States.

History is clear, Mr. Speaker. The greatest speed, quality and durability of the transition to democracy in this culturally and politically complex region will not be achieved solely through diplomatic pressure and direct foreign assistance. Instead, this transition is best achieved through positive pressures developed within these economies through the positive participation of our companies and institutions in legitimately participating in their growth.

In the past, there was an accepted and established manner of conducting business and working with government in these countries that was, by most measures, corrupt. The reality is that the lack of laws promoted this weakness. Today, with anti-corruption laws in place, the lack of enforcement institutions and transparency are in some cases promoting the perpetuation of these practices. The situation is improving, but it is by no means where it needs to be. As I see it, we can sit on the sidelines and lament the corruption of the past and the present, or we can support constructive programs and look to the future.

We can sit back and allow the other nations and their companies to participate in the tremendous economic potential in the region while imposing their own models of business ethics on these developing economies, or we can aggressively promote competitive U.S. investment and develop business ethics like ours. We need to help concentrated wealth achieved in a time when there was an absence of law transitioned into a framework of legitimate business. This is the purpose of the BONAFIDE organization.

BONAFIDE is funded exclusively by business and industry in the Balkans, including companies and individuals from the banking, railroad, mining, petroleum, telecommunications, and agriculture industries, as well as individuals who see the clear benefits of a closer alignment with the United States and its economic principles and practices, such as leading financial institutions and corporations from the Republic of Serbia, Bosnia & Herzegovina, Republica Srpska and Bulgaria, as well as individuals who have come, not unscathed, through this period of vague law, such as Sorin Vintu of Romania. These companies and individuals are concerned that the concentration of investment from countries other than the U.S. will have the effect of stagnating reforms and, therefore, growth. They are now committed to the early adoption and implementation of regulatory and enforcement reforms and transparency in their countries on the U.S. model, not the German or Russian model.

BONAFIDE, through its headquarters in Washington, will promote the accelerated harmonization of national laws, regulations and best business practices for the Balkans with those of the United States through an aggressive education exchange and cooperation program. BONAFIDE will facilitate collaborative

working visits of U.S. legislators and regulators with their counterparts in the region; between leaders of industry, financial services and law and their counterparts in the Balkans; and of academic leaders with government, business and educational institutions in these countries.

Mr. Speaker, I welcome the establishment of this new organization and organizations like it and I strongly support the objectives they promote.

RECOGNIZING SCORE

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 25, 2004

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor a valuable, non-profit association helping America's small businesses and entrepreneurs. The organization I speak of is SCORE, Counselors to America's Small Businesses.

Small businesses are vital to our communities and our economy. They add jobs, add dollars to local economies, and provide a valuable sense of community. However starting

and operating a small business is a serious risk, and it is not easy.

Many hard-working, skilled, brilliant Americans have all the ambition and specialized knowledge to take that risk—but they lack the business knowledge and experience necessary to be successful. That is why I'd like to thank everyone at SCORE for giving these ambitious, eager, hard-working Americans the last tool they need to make their endeavor a success.

I'd like to thank SCORE and all of their members and employees for their philanthropy, advocacy, and dedication to American small businesses. I'm pleased to honor them on the floor of this House.

Daily Digest

Highlights

The House agreed to S. Con. Res. 120, providing for the conditional recess at adjournment of the Senate and the House.

The House passed H.R. 4614, Energy and Water Development Appropriations Act for FY 2005.

Chamber Action

Routine Proceedings, pages S7505–S7528

Measures Introduced: One bill was introduced as follows: S. 2606. **Page S7518**

Measures reported:

S. 2180, to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 108–285)

S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska. (S. Rept. No. 108–286)

H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District. (S. Rept. No. 108–287)

H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project. (S. Rept. No. 108–288)

H.R. 3209, to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project. (S. Rept. No. 108–289)

S. 2479, to amend chapter 84 of title 5, United States Code, to provide for Federal employees to make elections to make, modify, and terminate contributions to the Thrift Savings Fund at any time. (S. Rept. No. 108–290) **Page S7518**

Measures Passed:

CREATE Act: Senate passed S. 2192, to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises. **Pages S7520–22**

Protecting Intellectual Rights Against Theft and Expropriation Act: Senate passed S. 2237, to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General. **Pages S7522–23**

Artists' Rights and Theft Prevention Act: Senate passed S. 1932, to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibition facility, to provide criminal and civil penalties for unauthorized distribution of commercial prerelease copyrighted works, after agreeing to the committee amendment in the nature of a substitute. **Pages S7524–27**

Servitude and Emancipation Archival Research Clearinghouse Act: Senate passed S. 1292, to establish a servitude and emancipation archival research clearinghouse in the National Archives, after agreeing to the committee amendments. **Page S7527**

Identity Theft Penalty Enhancement Act: Senate passed H.R. 1731, to amend title 18, United States Code, to establish penalties for aggravated identity theft, clearing the measure for the President. **Page S7527**

Tribal Forest Protection Act: Senate passed H.R. 3846, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land, clearing the measure for the President. **Page S7527**

AUTHORITY FOR COMMITTEES—AGREEMENT: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive reports during the adjournment of the Senate on Wednesday, June 30, 2004, from 10 a.m. until 12 noon. **Page S7520**

SIGNING AUTHORITY—AGREEMENT: A unanimous-consent agreement was reached providing

that during this adjournment of the Senate, the Majority Leader and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions.

Page S7520

APPOINTMENT AUTHORITY—AGREEMENT: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Democratic Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Page S7520

NOMINATION—AGREEMENT: A unanimous-consent agreement was reached providing for the consideration of the nomination of J. Leon Holmes, of Arkansas, to be United States District Judge for the Eastern District of Arkansas, at 9:45 a.m., on Tuesday, July 6, 2004, with six hours of debate equally divided between the Chairman and Ranking Member of the Committee on the Judiciary, or their designees, followed by a vote on confirmation of the nomination.

Page S7519

Nominations Confirmed: Senate confirmed the following nominations:

Benjamin A. Gilman, of New York, to be a Representative of the United States of America to the Fifty-eighth Session of the General Assembly of the United Nations.

Joseph D. Stafford III, of Florida, to be Ambassador to the Republic of The Gambia.

Lewis W. Lucke, of Texas, to be Ambassador to the Kingdom of Swaziland.

Jackson McDonald, of Florida, to be Ambassador to the Republic of Guinea. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

R. Niels Marquardt, of California, a Career Member of the Senior Foreign Service, Class of Counselor to be Ambassador to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador to the Republic of Equatorial Guinea.

James Francis Moriarty, of Virginia, to be Ambassador to the Kingdom of Nepal.

Anne W. Patterson, of Virginia, to be Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Anne W. Patterson, of Virginia, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Na-

tions during her tenure of service as Deputy Representative of the United States of America to the United Nations.

Suzanne Hale, of Virginia, to be Ambassador to the Federated States of Micronesia.

James D. McGee, of Florida, to be Ambassador to the Republic of Madagascar. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Joyce A. Barr, of Washington, to be Ambassador to the Republic of Namibia. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

William R. Brownfield, of Texas, to be Ambassador to the Bolivarian Republic of Venezuela.

June Carter Perry, of the District of Columbia, to be Ambassador to the Kingdom of Lesotho. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Charles P. Ries, of the District of Columbia, to be Ambassador to Greece.

R. Barrie Walkley, of California, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Ralph Leo Boyce, Jr., of Virginia, to be Ambassador to the Kingdom of Thailand.

John Marshall Evans, of the District of Columbia, to be Ambassador to the Republic of Armenia.

Cynthia G. Efrid, of the District of Columbia, to be Ambassador to the Republic of Angola. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Tom C. Korologos, of the District of Columbia, to be Ambassador to Belgium.

Christopher William Dell, of New Jersey, to be Ambassador to the Republic of Zimbabwe. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Douglas L. McElhaney, of Florida, to be Ambassador to Bosnia and Herzegovina.

William T. Monroe, of Virginia, to be Ambassador to the Kingdom of Bahrain.

A routine list in the Foreign Service. Page S7528

Messages From the House: Page S7517

Measures Referred: Page S7517

Measures Placed on Calendar: Pages S7517, S7527

Measures Read First Time: Pages S7517, S7527

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Statements on Introduced Bills/Resolutions:**Pages S7518–19****Additional Statements:****Pages S7516–17**

Adjournment: Senate met at 9:30 a.m., and, in accordance with the provisions of S. Con. Res. 120, adjourned at 11:40 a.m., until 9:45 a.m., on Tuesday, July 6, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7528.)

Committee Meetings

(Committees not listed did not meet)

IRAQ

Committee on Armed Services: Committee concluded a hearing to examine the transition to sovereignty in Iraq, focusing on U.S. policy, ongoing military operations, and status of U.S. Armed Forces, after receiving testimony from Paul D. Wolfowitz, Deputy Secretary of Defense; Richard L. Armitage, Deputy Secretary of State; and General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

DEMOCRACY IN VENEZUELA

Committee on Foreign Relations: On Thursday, June 24, Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs concluded a hearing to examine the state of democracy in Venezuela, focusing on

Organization of American States (OAS) Permanent Council Resolution 833, to strengthen Venezuelan democracy and bring an end to political conflict, after receiving testimony from Roger F. Noriega, Assistant Secretary of State for Western Hemisphere Affairs; John F. Maisto, U.S. Permanent Representative to the Organization of American States; Jennifer McCoy, Carter Center, Atlanta, Georgia; and Jose Miguel Vivanco, Human Rights Watch, Miguel Diaz, Center for Strategic and International Studies, Roger Tissot, PFC Energy, and Mark Weisbrot, Center for Economic and Policy Research, all of Washington, D.C.

PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: On Thursday, June 24, Committee concluded a hearing to examine the reauthorization of the Carl D. Perkins Vocational and Technical Education Act, focusing on community colleges, the challenges of serving rural populations, and "Project Lead the Way", after receiving testimony from Michael Rush, Idaho Division of Professional-Technical Education, Boise; Frank Blankenship, Columbiana County Career and Technical Center, Lisbon, Ohio; Jo Anne McFarland, Central Wyoming College, Riverton; Harry Lightsey, BellSouth, Columbia, South Carolina; and Angela Olszewski, Nontraditional Employment for Women (NEW), New York, New York.

House of Representatives

Chamber Action

Measures Introduced: 40 public bills, H.R. 4714–4753; and 4 resolutions, H. Con. Res. 468, and H. Res. 698–700, were introduced.

Pages H5149–50**Additional Cosponsors:****Pages H5150–51****Reports Filed:** Reports were filed today as follows:

H.R. 3819, to redesignate Fort Clatsop National Memorial as the Lewis and Clark National Historical Park, to include in the park sites in the State of Washington as well as the State of Oregon, amended (H. Rept. 108–570);

H.R. 2831, to authorize the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District, amended (H. Rept. 108–571);

H.R. 1716, to amend title 38, United States Code, to improve educational assistance programs of the Department of Veterans Affairs for apprenticeship or other on-job training, amended (H. Rept. 108–572, Pt. 1); and

H.R. 2828, to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources, amended (H. Rept. 108–573, Pt. 1).

Page H5148

Energy and Water Development Appropriations Act for FY 2005: The House passed H.R. 4614, making appropriations for energy and water development for the fiscal year ending September 30, 2005, by a yeay and nay vote of 370 yeas to 16 nays, Roll No. 325.

Pages H5074–H5131

Agreed to limit the number of amendments made in order in the Committee of the Whole and the time for debate on those amendments.

Page H5119

Agreed to:

Hobson amendment that prohibits the use of funds to finance laboratory directed research and development activities at the Department of Energy laboratories on behalf of other Federal agencies;

Page H5111

Eshoo amendment that prohibits the use of funds to deny requests for the public release of documents or evidence obtained through or in the Western Energy Markets: Enron Investigation, the California Refund case, the Anomalous Bidding Investigation, or the Physical Withholding Investigation;

Pages H5111–16

Rejected:

Norton amendment (No. 4 printed in the Congressional Record of June 24) that sought to increase funding for construction for the Civil Department of the Army;

Pages H5102–06

Sanders amendment (No. 5 printed in the Congressional Record of June 24) that sought to increase funding for energy supply activities in carrying out the purposes of the Department of Energy Organization Act (by a recorded vote of 150 ayes to 241 noes, Roll No. 321); (agreed to limit the time for debate on the amendment)

Pages H5106–11, H5128–29

Wilson of New Mexico amendment that sought to increase funding for defense nuclear nonproliferation (by a recorded vote of 163 ayes to 224 noes, Roll No. 322); (agreed to limit time for debate on the amendment)

Pages H5118–19, H5128–29

Meehan amendment that sought to increase funding for defense nuclear nonproliferation (by a recorded vote of 151 ayes to 235 noes, Roll No. 323); and

Pages H5123–25, H5129

Hefley amendment (No. 1 printed in the Congressional Record of June 23) that reduces the total funding in the Act by one percent (by a recorded vote of 68 ayes to 319 noes, Roll No. 324);

Pages H5126, H5130

Withdrawn:

Hefley amendment (No. 2 printed in the Congressional Record of June 23) that was offered and subsequently withdrawn that would have reduced funding for the Appalachia Regional Commission;

Pages H5116–18

Inslee amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to make “waste incidental to reprocessing” determinations in order to reclassify high-level radioactive waste;

Pages H5125–26

Point of Order sustained against:

Section of the bill (page 2, line 23 through page 3, line 5) regarding the Southwest Valley Flood Damage Reduction Study in Albuquerque, New Mexico;

Page H5101

Section 105 of Title I regarding the flood protection project at Alamogordo, New Mexico;

Pages H5105–06

Section 106 of Title I regarding Public Law 106–541;

Pages H5105–06

Section 107 of Title I regarding flood damage reduction at Mill Creek in Cincinnati, Ohio;

Page H5106

Section 108 of Title I regarding the environmental dredging project at Ashtabula River, Ohio;

Page H5106

Section 109 of Title I regarding the Central Riverfront Park project on the Ohio Riverfront in Cincinnati, Ohio;

Page H5106

Section 110 of Title I regarding the revolving fund for dredge projects;

Page H5106

Section 311 relating to the prohibition on the use of funds for laboratory directed research and development activities at Department of Energy laboratories on behalf of other Federal agencies;

Pages H5110–11

Section 502 regarding the purchase of American-made equipment and products;

Page H5122

Section of the bill (pages 39, line 23 through page 40, line 4) regarding the prohibition of funds to issue a license during fiscal year 2005 for the construction or operation of a new commercial nuclear power plant in the U.S.

Pages H5122–23

H. Res. 694, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question by a yea and nay vote of 209 yeas to 182 nays, Roll No. 320.

Page H5083

Independence Day District Work Period: The House agreed to S. Con. Res. 120, providing for the conditional recess or adjournment of the Senate and the conditional adjournment of the House.

Page H5083

Late Reports: Agreed that the Committee on Appropriations have until midnight on July 2 to file late reports on the bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary and related agencies, and a bill making appropriations for the Legislative Branch.

Pages H5083–84

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Bartlett, or if not available, Representative Pence to act as Speaker Pro Tempore to sign enrolled bills and joint resolutions through July 6.

Page H5132

Late Reports: Agreed that the Committee on Science be allowed to have until 4 p.m. on July 2 to file reports on H.R. 4218, H.R. 4516, H.R. 3890, H.R. 3598, and H.R. 3980.

Page H5131

Further agreed that the Committee on Financial Services have until midnight on July 2 to file a report on H.R. 3574. **Page H5131**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 7.

Page H5132

Senate Message: Messages received from the Senate today appear on pages H5073, H5131.

Senate Referrals: S. Con. Res. 83 was referred to the Committee on International Relations; S. 2322 and 1292 were referred to the Committee on Government Reform; S. 1932 and S. 2237 were referred to the Committee on the Judiciary; and S. 2191 was held at the desk. **Page H5146**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H5151.

Quorum Calls—Votes: Two ye and nay votes and four recorded votes developed during the proceedings of today and appear on pages H5083, H5128, H5128–29, H5129–30, H5130 and H5130–31. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 5:07 p.m., pursuant to the provisions of S. Con. Res. 120, the House stands adjourned until 2 p.m. on Tuesday, July 6, 2004.

Committee Meetings

FOOD SECURITY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled “Implementation of the Food Security Provisions of the Public Health Security and Bioterrorism Preparedness and Response Act.” Testimony was heard from Lester M. Crawford, Acting Commissioner, Food and Drug Administration, Department of Health and Human Services; Cathy Saucedo, Director, Special Enforcement Division, U.S. Customs and Border Protection, Department of Homeland Security; Doug Saunders, Program Manager, Office of Dairy and Foods, Department of Agriculture and Consumer Services, State of Virginia; and public witnesses.

Next Meeting of the SENATE

9:45 a.m., Tuesday, July 6

Senate Chamber

Program for Tuesday: Senate will begin consideration of the nomination of J. Leon Holmes to be United States District Judge for the Eastern District of Arkansas, with six hours for debate, followed by a vote on confirmation of the nomination. Also, Senate will begin consideration of S. 2062, Class Action Fairness Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, July 6

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

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